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Vol. 87 No. 27

Monday, July 6, 1992

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City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 6, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Conroy, Gonzalez, Hallinan, Hsieh, Migden, Shelley - 7.

Noted absent at first roll call:

Supervisors Alioto, Britt, Kennedy, Maher - 4.

Quorum present.

Supervisor Alioto excused, on official leave of absence.

Supervisor Britt was noted present at 2:20 p.m.

Supervisor Kennedy excused. (See infra.)

Supervisor Maher was noted present at 2:17 p.m.

Supervisor Kennedy Excused

The Clerk announced that Supervisor Kennedy is attending a special meeting in Sacramento to consider the budget and requested to be excused from today's meeting.

Supervisor Migden, seconded by Supervisor Hsieh, moved to excuse Supervisor Kennedy from attending today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Gonzalez, Hallinan, Hsieh, Migden, Shelley - 7.

Absent: Supervisors Alioto, Britt, Kennedy, Maher - 4.

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Monday, July 6, 1992

Presentation of Guests

President Shelley introduced and welcomed a visiting delegation from our Sister City Taipei as follows:

Mr. James C. C. Chen, Speaker, Taipei City Council;
Mr. Chun-Hsiung Chen, Councilman;
Mr. Chin-Chang Lin, Councilman;
Ms. Hsueh-Fen Chen, Councilwoman;
Mr. Richard Tsou, Secretary General;
Mr. Teng-Yung Lai, Commissioner, Taipei Water Department;
Mr. Thomas J. Chen; Director, Public Relations;
Ms. Yi-Chun Chen;
Mr. Yung-Te Chen;
Mr. Yung-Le Chen.

Privilege of the Floor

There being no objection, on motion by Supervisor Hsieh, seconded by Supervisor Achtenberg, the privilege of the floor was then granted to Honorable James C.C. Chen.

Speaker Chen briefly addressed the Board and thanked the members for the opportunity to speak.

Appointment of President Pro Tempore

At the request of the President, Supervisor Gonzalez assumed the Chair so the President could present a certificate of honor.

Presentation Made

Supervisor Shelley, on behalf of the San Francisco Board of Supervisors, presented a certificate of honor to Speaker Chen and the Honorable members of the Taipei City Council.

The President reassumed the Chair.

CONSENT CALENDAR

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of David Chan, et al., v. City and County et al., by payment of $10,640. (City Attorney)

File 45-92-24, Ordinance No. 205-92

(Municipal Court No. 056-969.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of James Pan against the City and County by payment of $16,829.40. (City Attorney)

File 45-92-25, Ordinance No. 206-92

(U.S. District Court No. C90-0601 VRW.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Deborah Lollie-Jackson against the City and County by payment of $30,000. (City Attorney)

File 45-92-27, Ordinance No. 207-92

(U.S. District Court No. C85-4925 JPV.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Terway Car Rental, Inc., against the City and County by payment of $24,233.52. (City Attorney)

File 45-92-28, Ordinance No. 208-92

(Municipal Court No. 062-460.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Sandra Glosser against the City and County by payment of $7,000. (City Attorney)

File 45-92-29, Ordinance No. 209-92

(Superior Court No. 924-606.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Santiago against the City and County by payment of $22,500. (City Attorney)

File 45-92-30, Ordinance No. 210-92

(Municipal Court No. 036-970.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Harold Wilson Bell v. Avis Rent A Car, et al., upon receipt of the sum of $7,500 and dismissal of complaint. (City Attorney)

File 46-92-7, Ordinance No. 211-92

(Superior Court No. 906-593.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of City and County v. Dionicio Guzman, et al., upon receipt of the sum of $12,500 and dismissal of complaint. (City Attorney)

File 46-92-8, Ordinance No. 212-92

(Municipal Court No. 063-346.)

Finally passed.

Recommendation of Economic and Social Policy Committee

Finally Passed

[Zoning Map Change]
Ordinance adopting changes in the Height and Bulk Classification as an amendment to the Zoning Map of the City and County of San Francisco for property located on the block bounded by Berry, Fourth and Third Streets and China Basin Channel, Assessor's Block 3803, from a 40-X to a 60-X District and adopting findings pursuant to Section 101.1. (Department of City Planning)

File 36-92-3.1, Ordinance No. 204-92

(Approved by City Planning Commission Resolution No. 13339.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Alioto, Britt, Gonzalez, Kennedy - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

[Parking Meter Rates]
Ordinance amending Traffic Code, to increase the rates for parking meters within parking meter area numbers 2, 3 and 4, and to provide that parking meters in these areas will be operated only by quarters. (Supervisor Gonzalez)

File 124-92-4.1, Ordinance No. 216-92

(Amends Sections 200, 202.A, 203.2, 203.3 and 203.4.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Alioto, Britt, Gonzalez, Kennedy - 4.

Recommendation of Economic and Social Policy Committee

Adopted as Amended

[Central Freeway]
Resolution declaring it to be the policy of the City and County of San Francisco not to build any new above-ground ramps to replace the demolished sections of the Central Freeway; requesting an expeditious resolution of funding for surface-level transportation improvements; creating ((urging the Mayor to convene)) a task force to plan land use and transportation needs for the Hayes Valley and Western Addition neighborhoods; requesting the California Department of Transportation to undertake a feasibility study to upgrade the South Van Ness interchange and to consider the San Francisco Tomorrow Plan. (Supervisor Maher)

File 171-92-3, Resolution No. 541-92

(June 29, 1992 - Consideration continued to July 6, 1992 with pending amendments as follows:

Supervisor Kennedy's pending amendment: To amend page two, line 17, by changing "an" to "a" and by deleting "interdepartmental" and by adding the following sentences: "The membership of the task force shall include 11 community members who are residents of the Hayes Valley and Western Addition neighborhoods, who shall be appointed by the Board of Supervisors. The Mayor is urged to appoint interdepartmental representatives to serve, also, on this task force.".

Supervisor Maher's pending amendment: To amend page one, line two, and page two, line nine, after "new" by inserting "above-ground".

Supervisor Hallinan, seconded by Supervisor Achtenberg, moved to continue consideration to August 3, 1992.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Hallinan, Hsieh - 3.

Noes: Supervisors Britt, Conroy, Gonzalez, Maher, Migden, Shelley - 6.

Absent: Supervisors Alioto, Kennedy - 2.

Supervisor Migden, seconded by Supervisor Maher, moved to amend Supervisor Kennedy's pending amendment by urging the Mayor to appoint interdepartmental representatives to advise the task force.

Motion to amend pending amendment adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Kennedy - 2.

The roll was then called on Supervisor Kennedy's pending amendment, as further amended, and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Kennedy - 2.

Supervisor Maher, seconded by Supervisor Achtenberg, moved to amend Supervisor Maher's pending amendment by amending page three, line 23, after the word "after" by adding "to consider, among other

alternatives for traffic improvements that may be considered, the San Francisco Tomorrow Plan which appears in Board File No. 171-92-3".

Motion to amend pending amendment adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Kennedy - 2.

The roll was called on Supervisor Maher's pending amendment, as further amended, and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Kennedy - 2.

Resolution adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Kennedy - 2.

Recommendation of City Services Committee

Consideration Continued As Amended

[Business Advisory Commission]
Ordinance repealing existing provisions of Administrative Code, abolishing the Bureau of Small Business and Small Business Advisory Commission, and establishing a Business Advisory Commission within the Mayor's Office of Economic Planning and Development. (Small Business Advisory Commission)

File 97-92-19, Ordinance No.

Refused passage for second reading by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Hsieh, Maher, Shelley - 5.

Noes: Supervisors Britt, Gonzalez, Hallinan, Migden - 4.

Absent: Supervisors Alioto, Kennedy - 2.

Supervisor Maher, seconded by Supervisor Hsieh, moved to rescind the previous vote:

Motion to rescind the vote adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Noes: Supervisors Alioto, Kennedy - 2.

Supervisor Maher, seconded by Supervisor Hsieh, moved the amendment of the whole bearing same title, as submitted by the City Services Committee, dated June 22, 1992.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Hsieh, Maher, Shelley - 5.

Noes: Supervisors Britt, Gonzalez, Hallinan, Migden - 4.

Absent: Supervisors Alioto, Kennedy - 2.

The roll was called on the pending ordinance and it was refused passage for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Hsieh, Maher, Shelley - 5.

Noes: Supervisors Britt, Gonzalez, Hallinan, Migden - 4.

Absent: Supervisors Alioto, Kennedy - 2.

Supervisor Maher, seconded by Supervisor Hsieh, moved to rescind the previous vote:

Motion to rescind the vote adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Kennedy - 2.

Supervisor Maher, seconded by Supervisor Hsieh, moved to continue consideration as amended to July 20, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Gonzalez, Kennedy - 3.

From Administration and Oversight Committee
With Recommendation "DO SUBMIT"

Ordered Submitted

[Charter Amendment]
Charter amendment (First Draft) amending Section 8.539-3 to increase the retirement allowances of miscellaneous officers and employees retired prior to July 2, 1991, from $0 to $75. (Supervisor Kennedy)

File 218-92-1

Ordered submitted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Kennedy - 2.

[Charter Amendment]
Charter amendment (Second Draft) amending Sections 8.500-1, 8.559-9, 8.585-9, 8.586-9, and 8.588-9, relating to the coordination of retirement benefits for safety employees and miscellaneous employees. (Supervisors Achtenberg, Maher, Shelley, Hallinan, Gonzalez)

File 242-92-1

Ordered submitted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Kennedy - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Art Commission]
Ordinance amending Administrative Code, to permit the representation of the City and County, through the Art Commission, in nine arts organizations. (Art Commission)

File 97-91-60, Ordinance No.

(Amends Section 16.6-45.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Kennedy - 2.

[Fire Department]
Ordinance amending Administrative Code, adding and deleting certain organizations to the membership list of the Fire Department. (Fire Department)

File 97-92-25.1, Ordinance No.

(Amends Section 16.6-6.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Kennedy - 2.

Passed for Second Reading as Amended

[Fees - Medical Examiner-Coroner]
Ordinance amending Administrative Code, authorizing the Medical Examiner-Coroner to charge fees for certain services and to increase fees for copies of documents and certain services. (Chief Medical Examiner-Coroner)

File 97-92-34, Ordinance No.

(Amends Section 8.14.)

Supervisor Migden, seconded by Supervisor Achtenberg, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Gonzalez, Kennedy - 3.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Gonzalez, Kennedy - 3.

Passed for Second Reading

[Street Closure Fees]
Ordinance amending Administrative Code, (Temporary Use or Occupancy of Public Streets), to increase the application fee for temporary use of streets for street fairs from forty dollars to eighty dollars. (Department of Parking and Traffic)

File 97-92-37, Ordinance No.

(Amends Section 2.70-6.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Gonzalez, Kennedy - 3.

[Vehicle Removal Administrative Fee]
Ordinance amending Traffic Code, relating to imposing an administrative fee for removing vehicles from city streets and highways. (Department of Parking and Traffic)

File 124-92-6, Ordinance No.

(Adds Section 170.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Gonzalez, Kennedy - 3.

[Abatement of Abandoned Vehicles]
Ordinance amending Traffic Code, by adding, as Article 13A thereof, Section 225, relating to establishment of a service authority for abatement of abandoned vehicles; Section 226 relating to imposing a service fee for the Abandoned Vehicle Trust Fund; Section 227 relating to procedures for abatement of abandoned vehicles; Section 228 relating to preparation of an Abandoned Vehicle Abatement Program and Plan; and Section 229 relating to the definitions of terms; and by amending Article 14 thereof in the following particulars: amending Sections 230, 231 and 245 thereof, to include highways as property from which abandoned vehicles may be removed; further amending Section 231 thereof to add a definition; amending Section 234 thereof to refer to new Article 13A of the Traffic Code and to define the scope of the authority of the Department of Public Health; amending Sections 235 and 236 thereof to transfer from the Purchaser of Supplies to the Director of Parking and Traffic the authority to enter into contracts for towing; adding Section 244.1 authorizing the imposition of a fine on the owners of abandoned vehicles; and further amending Section 245 thereof to allow money received from the State's Abandoned Vehicle Trust Fund to be credited to the Abandoned Vehicle Abatement and Removal Fund of the City. (Department of Parking and Traffic)

File 124-92-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Gonzalez, Kennedy - 3.

[Utility Users Tax Rate Adjustment]
Ordinance amending Article 10 of Part III, Municipal Code (Utility Users Tax), to extend the telephone users tax to interstate and international telephone communication services and to increase the rates of the telephone users tax to six and one-half percent (6-1/2%), of the electricity users tax to six and one-half percent (6-1/2%), of the gas users tax to six and one-half percent (6-1/2%), of the water users tax to six and one-half percent (6-1/2%), and of the steam users tax to six and one-half percent (6-1/2%) for one year commencing August 1, 1992. (Mayor)

File 127-92-5, Ordinance No.

(Amends Article 10.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Gonzalez, Kennedy - 3.

Adopted

[Public Transportation]
Resolution making a finding concerning proposed revisions of the Municipal Railway fare schedule. (Public Utilities Commission)

File 7-92-3, Resolution No. 544-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Gonzalez, Kennedy - 3.

Adopted as Amended

[Public Transportation]
Resolution approving a revised fare schedule for the San Francisco Municipal Railway; companion measure to File 7-92-3. (Public Utilities Commission)

File 7-92-3.1, Resolution No. 545-92

Supervisor Gonzalez, seconded by Supervisor Achtenberg, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Maher, Migden, Shelley - 6.

Noes: Supervisors Britt, Hsieh - 2.

Absent: Supervisors Achtenberg, Alioto, Kennedy - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Maher, Migden, Shelley - 6.

Noes: Supervisors Britt, Hsieh - 2.

Absent: Supervisors Achtenberg, Alioto, Kennedy - 3.

Adopted

[Using Discount Fast Passes on BART]
Resolution urging the Bay Area Rapid Transit District to work with the San Francisco Municipal Railway in finding a way to allow Municipal Railway passengers with Discount Fast Passes (disabled and senior users) to be able to use their Fast Passes on BART as Adult Fast Pass users are now able to use them. (Finance Committee)

File 7-92-3.2, Resolution No. 546-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Britt, Kennedy - 3.

[Abandoned Vehicles]
Resolution designating the Parking and Traffic Commission of the City and County as the service authority for the abatement of abandoned vehicles and establishing a one dollar vehicle registration fee on all vehicles registered in San Francisco to be used only for the abatement, removal and disposal of abandoned vehicles. (Department of Parking and Traffic)

File 192-92-4, Resolution No. 570-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Kennedy - 2.

Recommendations of City Services Committee

Adopted as Amended

[CEQA Findings]
Resolution adopting findings of the Board of Supervisors of the City and County of San Francisco made pursuant to the California Environmental Quality Act and State CEQA guidelines in connection with approval of the Earthquake Hazard Reduction In Unreinforced Masonry Wall Buildings Program; companion measure to Files 97-92-26, 97-92-27, 97-92-27.1, 114-92-4, 114-92-5 and 115-92-8. (Supervisors Hsieh, Alioto, Shelley, Maher, Achtenberg, Kennedy)

File 114-92-4.1, Resolution No. 566-92

Supervisor Hsieh, seconded by Supervisor Conroy, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Britt, Kennedy - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Britt, Kennedy - 4.

Passed for Second Reading

[Unreinforced Masonry Buildings Demolition/Alteration]
Ordinance amending Building Code, concerning notice requirements for demolition or substantial alteration of unreinforced masonry buildings; companion measure to File 114-92-4.1. (Supervisors Hsieh, Migden, Alioto, Shelley, Maher, Achtenberg, Kennedy)

File 114-92-5, Ordinance No.

(Amends Sections 302(a) and 303(f).)

Supervisor Hsieh, seconded by Supervisor Conroy, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Britt, Kennedy - 4.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Britt, Kennedy - 4.

Tabled

[Unreinforced Masonry Buildings]
Ordinance amending Administrative Code, requiring owners undertaking seismic work on unreinforced masonry buildings pursuant to Building Code Chapters 14 and 15 to reduce their tenants' rents for lost use during construction; companion measure to File 114-92-4.1. (Supervisors Hsieh, Migden, Alioto, Shelley, Maher, Achtenberg, Kennedy)

File 97-92-26, Ordinance No.

(Adds Chapter 65.)

Supervisor Hsieh, seconded by Supervisor Conroy, moved to table.

Tabled by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Britt, Kennedy - 4.

Passed for Second Reading

[Unreinforced Masonry Buildings]
Ordinance amending Administrative Code, (Residential Hotel Unit Conversion and Demolition Ordinance) to permit temporary relocation of tenants within the same residential hotel structure to allow seismic retrofit activities; companion measure to File 114-92-4.1. (Supervisors Hsieh, Migden, Alioto, Shelley, Maher, Achtenberg, Kennedy)

File 97-92-27, Ordinance No.

(Amends Section 41.19.)

Passed for second reading by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Britt, Kennedy - 4.

[Unreinforced Masonry Buildings]
Ordinance amending Administrative Code, requiring owners undertaking seismic work on unreinforced masonry buildings pursuant to Building Code Chapters 14 and 15 to reduce their tenants' rents for lost use during construction or to pay relocation expenses up to a maximum of $1500 per dwelling unit per month; companion measure to File 114-92-4.1. (Supervisors Migden, Hsieh, Achtenberg, Shelley)

File 97-92-27.1, Ordinance No.

(Adds Chapter 65.)

Passed for second reading by the following vote:

Ayes: Supervisors Conroy, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Kennedy - 3.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public hearing]
Hearing of objections to report of assessment costs submitted by Director of Public Works for gas and electric services ordered to be rendered at 49 Broderick Street (1007 Haight Street) by said Director pursuant to the provisions of Section 203(m) and/or 203(o) of the Building Code; the costs thereof having been paid for out of the repair and demolition fund.

File 41-92-1

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the hearing closed.

From Department of Public Works

Adopted

[Assessment for Costs]
Resolution confirming report of assessment costs submitted by the Director of Public Works for gas and electric services ordered to be rendered at 49 Broderick Street (1007 Haight Street) by said Director pursuant to the provisions of Section 203(m) and/or 203(o) of the Building Code; the costs thereof having been paid for out of the repair and demolition fund.

File 41-92-1, Resolution No. 549-92

(49 Broderick Street/aka 1007 Haight Street $3,709.15.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Kennedy - 2.

COMMITTEE REPORTS

From Finance Committee With Recommendation

Passed for Second Reading

[Special Election]
Ordinance calling and providing for a special election to be held in the City and County on Tuesday, November 3, 1992, for the purpose of submitting to the voters of the City and county propositions to incur the following bonded debts of the City and County for the acquisition, construction or completion by the City and County of the following municipal improvements, to wit: $350,000,000 to provide loans for the seismic strengthening of unreinforced masonry buildings devoted to affordable housing and to market-rate residential, commercial and institutional uses and to pay necessary administrative costs incidental thereto and establishing certain terms and conditions in connection with said loans; $158,100,000 for construction and reconstruction of correctional facilities to replace the existing San Bruno jail facilities; $40,800,000 for construction and reconstruction of Fire Department facilities; that the estimated cost of said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such municipal improvements; fixing the date of election and the manner of holding such election and the procedure for voting for or against the propositions; fixing the maximum rate of interest on said bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the special election with the general election; and providing that the election precincts, voting places and officers for election shall be the same as for such general election. (Supervisors Hsieh, Gonzalez, Conroy)

File 60-92-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Kennedy - 3.

Recommendations of Finance and City Services Committees

[Earthquake Hazard Reduction]
Ordinance amending Building Code, by adding Chapters 14 and 15 and revising Chapters 2 and 3 thereto relating to earthquake hazard reduction in unreinforced masonry bearing wall buildings; companion measure to File 114-92-4.1. (Supervisors Hsieh, Migden, Alioto, Shelley, Maher, Achtenberg, Kennedy)

File 114-92-4, Ordinance No.

(June 9, 1992 - Transferred from City Services Committee, fiscal impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Britt, Kennedy - 4.

[Unreinforced Masonry Building Seismic Retrofit]
Ordinance amending Planning Code by amending Section 181 to permit nonconforming uses to continue following required seismic retrofitting of unreinforced masonry buildings; by amending Section 188 to permit a noncomplying structure to exist following required retrofit of unreinforced masonry buildings and to permit minor modifications to Planning Code requirements in certain circumstances; by amending Section 1005 to provide a limited exemption for required retrofit activities of unreinforced masonry buildings designated as landmarks or as contributory buildings in historic districts; by amending Section 1111.1 to provide a limited exemption for required seismic retrofit activities of unreinforced masonry buildings designated as significant or contributory building or any category V building in a conservation district; and, adopting findings pursuant to Section 101.1; companion measure to File 114-92-4.1. (Supervisors Hsieh, Migden, Alioto, Shelley, Maher, Achtenberg, Kennedy)

File 115-92-8, Ordinance No.

(June 9, 1992 - Transferred from City Services Committee, fiscal impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Kennedy - 3.

[Rent Board]
Ordinance amending Administrative Code by adding Section 37.8B thereto to establish expedited hearing and appeal procedures for capital improvements which result from seismic work on unreinforced masonry buildings pursuant to Building Code Chapters 14 and 15 where landlords performed the work with a UMB bond loan, by amending Section 37.2 to provide that dwelling units which have undergone seismic strengthening in accordance with Building Code Sections 14 and 15 shall remain subject to the Rent Ordinance, with exception, and by amending Section 37.3 to limit certain capital improvement passthroughs to 10% per year over the base rent, subject to the adoption of Rent Board rules regarding landlord hardship and by amending Section 39.9 to require landlords who demolish their buildings pursuant to Building Code Chapters 14 and 15 to pay relocation expenses for their tenants. (Supervisors Migden, Hsieh, Achtenberg, Shelley)

File 97-92-27.2, Ordinance No.

(June 22, 1992 - Transferred from City Services Committee, fiscal impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Kennedy - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following:

Emperor Arcadia;
Ace Washington;
Robert Butler;
Terry Carter.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[State Legislation]
Resolution supporting Assembly Bill 2881, which would establish the California Register of Historical Resources. (Supervisor Maher)

File 12-92-31, Resolution No. 547-92

(June 29, 1992 - Introduced in Board for consideration July 6, 1992.)

Adopted.

[California Department of Aging Proposed Funding Formula]
Resolution opposing the California Department of Aging proposed funding formula for seniors. (Supervisor Shelley)

File 12-92-32, Resolution No. 548-92

(June 29, 1992 - Introduced in Board for consideration July 6, 1992.)

Adopted.

[Condominium Project]
Motion approving final map of 733 Filbert Street, a condominium project, being a resubdivision of Lot 29, in Assessor's Block 101, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-92-16

(June 29, 1992 - Introduced in Board for consideration July 6, 1992.)

Adopted.

[Condominium Project]
Motion approving final map of 570-580 Bush Street, a condominium project, being a resubdivision of Lot 14, in Assessor's Block 271, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-92-17

(June 29, 1992 - Introduced in Board for consideration July 6, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Britt, Kennedy - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-27, Resolution No. 542-92

(Marie K. Brooks, member, Airports Commission, July 8 - August 1; Marilyn Chow, member, Social Services Commission, July 14 - 22; David Detrick, member, Police Commission, June 30 - July 8 and July 11 - 18; Laurence D. Griffin, Vice President, Fire Commission, July 11 - 17; Michael Hardeman, member, Public Utilities Commission, June 26 - 28; Edward Helfeld, Executive Director, Redevelopment Agency, July 16 - 24; James K. Ho, member, Airports Commission, June 27 - July 2; James Jefferson, member, Public Utilities Commission, June 24 - 28; Fred E. Jordan, Jr., Chief Probation Officer, July 11 - 16; Julia Lopez, General Manager, Department of Social Services, July 9 - 10; Linda Mjellem, member, Commission on the Status of Women, June 21 - 28; Juanita Owens, member, Board of Permit Appeals, June 22 - 29; Roselyne Swig, member, Library Commission, July 2 - 7; Betty Lou Treguboff, member, Commission on the Aging, August 8 - 22, 1992.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolution submitted after preparation of the calendar.)

Adopted

[Grant, State Bond Funds]
Resolution authorizing the Mayor and the President of the Board of Supervisors to apply for and expend State of California Bond Funds in the amount of $5,813,000 for an improvement and expansion of the adult correctional system via the addition of a fifth floor area to

the new Sheriff's facility project and the purchase and installation of a master computer system for San Francisco's criminal justice system.

File 152-92-3, Resolution No. 539-92

Supervisor Shelley presented on behalf of Supervisor Kennedy for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Britt, Kennedy - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Card Rooms]
Draft ordinance amending Police Code providing procedures for establishment of gaming clubs (card rooms) in San Francisco. (Supervisor Hallinan presented.) Referred to Finance Committee.

File 121-92-9

Referred to Board

[Federal Legislation]
Resolution endorsing the Sensible Advertising and Family Education Act (HR 1443) to require all alcohol beverage advertising and promotional materials to carry health and safety warning messages about drinking during pregnancy and about drinking and driving. (Supervisor Shelley presented.) Referred to Board July 13, 1992 For Adoption Without Committee Reference Calendar.

File 13-92-10

[Backroom Office Space]
Resolution urging the Mayor to request the City Planning Commission to survey and identify areas of the City that would be appropriate for reclassification to permit backroom office space. (Supervisor

Kennedy presented.) Referred to Board July 13, 1992 For Adoption Without Committee Reference Calendar.

File 189-92-1

Requests for Hearings

File 18-92-9, By Supervisor Migden: To consider establishing four-way Stop intersections at the corners of Grove and Central Streets and Grove and Lyon Streets. Referred to Economic and Social Policy Committee.

File 27-92-4, By Supervisor Gonzalez: To consider the Airport Master Plan and its potential impact on the quality of life of the residents of San Francisco. Referred to City Services Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-92-39. [Settlement of Lawsuit] Authorizing settlement of litigation of Hock Investment Co., Inc., v. City and County of San Francisco to permit the processing of an application for conversion to condominiums of 2090 Pacific. (City Attorney) Administration and Oversight

File 65-92-10. [Sublease of Property] Authorizing and approving sublease of City-owned property at 25 Van Ness Avenue, portion of First Floor (Lot 4, Block 834) to the Veterans Administration, commencing August 1, 1992. (Real Estate Department) Finance

File 123-92-3. [Public Pay Telephones] Amending Public Works Code by amending Sections 706, 950, 952, 953, 954, 957, 958, 959, and 960, adding Sections 950.1 and 950.2 and deleting Section 962, regulating the installation and maintenance of public pay telephones on public sidewalks, requiring permits and the deposit of fees therefor and providing for enforcement of said permitting requirements. (Department of Public Works) Economic and Social Policy

Resolutions Referred to Committee

File 38-92-17.1. [Gift Acceptance] Accepting a gift from Richard Goldman, Warren Hellman, John Rosecrans and Alfred Wilsey of artistic painting services valued at $24,000 ($6,000 each) for the decorative painting of temporary plywood surfaces in and adjacent to the main rotunda of San Francisco City Hall and authorizing the firm of Evans and Brown to perform such work. (Department of Public Works) Finance

File 41-92-2. [Rent Stabilization and Arbitration Liens] Confirming report of delinquent charges for rent arbitration and stabilization fees submitted by the Tax Collector, as modified to the date of

adoption of this resolution, and creating special assessments and liens based thereon. (Tax Collector) Scheduled for Public Hearing before Board on August 31, 1992 at 3:00 p.m.

File 48-92-16. [Settlement of Claim] Approving the settlement of the unlitigated claim of Flair Diversified Properties, Inc. by payment of $50,000. (City Attorney) Administration and Oversight

File 52-92-4. [Authorization to Expend Private Funds] Authorizing Department of Public Works to accept $5,176 monetary compensation from property owners for the higher cost of procuring and installing special ornamental streetlight poles in Upper Ashbury Undergrounding District 309, Phase 2C. (Department of Public Works) Finance

File 61-92-6. [Extending Duration and Increasing Contract Cost] Approving Contract Modifications No. 1 and No. 2 to Water Department Contract WD-2088, repaving of street and sidewalk openings for the San Francisco Water Department for fiscal year ending June 30, 1992. (Public Utilities Commission) Finance

File 94-92-4. [Grant - Regional Funds] Authorizing the Public Utilities Commission to apply for and accept $3.1 million of bridge toll funds for SFMRIC lease payments and $51.5 million of regional funds such as Federal Transit Administration Sections 8 and 9 Operating Revenues, Transportation Development Act (TDA), State Transit Assistance (STA), AB 1107 half-cent sales tax, and Bay Area Rapid Transit District funds for 1992-93 Municipal Railway Operations and authorizing the expenditure of the Section 8 planning funds. (Public Utilities Commission) Finance

File 94-92-5. [Grant - State Funds] Authorizing the Public Utilities Commission to apply for, accept and expend $1,704,000 including an estimated $119,280 of indirect costs from 1992-93 State Traffic System Management funds for the Municipal Railway and also to apply for, accept and expend available Federal Petroleum Violation Escrow Account funds to support signal system pre-emption and other energy efficient transportation improvements. (Public Utilities Commission) Finance

File 146-92-29. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Services, Special Programs for Youth as a sub-grantee, in collaboration with Northern California Pediatric AIDS Treatment Center as prime grantee, to accept and expend an allocation of $244,840 which includes indirect costs in the amount of $11,659 based on five percent of direct costs, from the National Institute of Health, National Institute of Allergy and Infectious Disease, for establishing clinical trial subunits and health services for youth. (Department of Public Health) Finance

File 146-92-50. [Grant - State Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a supplemental allocation of $150,000 from the California Department of Health Services to continue funding the AIDS Drug Program; providing for ratification of action previously taken. (Department of Public Health) Finance

File 146-92-51. [Grant - State Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a grant not to exceed $2,615,796 which includes indirect costs not to exceed $75,322 based on ten percent of personnel costs, from the California Department of Health Services to continue funding the Master Grant Agreement; providing for ratification of action previously taken. (Department of Public Health) Finance

File 147-92-2.1. [Grant - Federal Funds] Authorizing the City Librarian to accept and expend funds not to exceed $696,579 available through the California State Library from Title II of the Library Services and Construction Act for Public Library construction, which includes indirect costs of the amount of $43,997 or five percent of the total; companion measure to File 147-92-2. (Public Library) Finance

File 147-92-4. [Grant - State Funds] Authorizing the execution of grant contract with the California State Library for the award of a grant of Library Construction and Renovation Bond Act funds, which contract provides for the State to be indemnified and held harmless from all claims or damages which may arise in relation to the contract. (Public Library) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Shelley, that City Attorney prepare appropriate legislation which would establish a Select Committee on the closure of Hunters Point and the Presidio for the purpose of holding public hearings on the impact on city services by the base closures.

By Supervisor Gonzalez, that letter of inquiry be sent to Acting Director, Department of Parking and Traffic, to determine why the blue handicapped area along the first block of Van Ness Avenue, from Market Street going North, has been repainted with yellow paint over the blue, thereby eliminating parking area for the disabled.

By Supervisor Gonzalez, that letter be sent to Chief of Police concerning alleged drug activities at the corner of the 300 block of Cumberland and Sanchez Streets and along the 500 and 600 block of Sanchez Street and requesting investigation and increased police patrols in the area.

By Supervisor Gonzalez, that letter be sent to Director of Health requesting investigation of possible health hazard at 1329 Sanchez Street due to feeding of pigeons in this area.

By Supervisor Gonzalez, that letter be sent to Chief of Police requesting investigation and report of safety concerns of resident at 405 Davis Street with possible security measures that may be taken.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Lydia Constantinoff (Supervisor Britt)

File 2-92-27

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:39 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, July 6, 1992

Approved by the Board of Supervisors on February 22, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 87 No. 28

Monday, July 13, 1992

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City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 13, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:25 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Britt, Hallinan, Hsieh, Kennedy, Maher, Shelley - 6.

Noted absent at first roll call:

Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Migden - 5.

Quorum present.

Supervisor Achtenberg excused, on official leave of absence.

Supervisor Alioto excused, on official leave of absence.

Supervisor Conroy was noted present at 2:27 p.m.

Supervisor Gonzalez was noted present at 2:26 p.m.

Supervisor Migden excused, on official leave of absence.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Kennedy requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Adopted

[Award of Auto Detail Area Lease]
Resolution confirming award of the auto detail area lease at the Golden Gateway Garage to Five Star Parking. (Real Estate Department)

File 47-92-1.1, Resolution No. 581-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Passed for Second Reading

[Lease Amendment]
Ordinance approving Second Amendment to lease between Mission Creek Harbor Association and the City and County operating by and through the San Francisco Port Commission. (Supervisor Maher)

File 65-92-9, Ordinance No.

Passed for second reading.

Adopted

[Contracting Out City Services]
Resolution concurring with the Controller's certification that security services can be practically performed for the Department of Public Health, San Francisco General Hospital by private contractor for a lower cost than similar services performed by City and County employees. (Department of Public Health)

File 25-92-23, Resolution No. 579-92

Adopted.

[Gift Acceptance]
Resolution accepting a gift from Richard Goldman, Warren Hellman, John Rosecrans and Alfred Wilsey of artistic painting services valued at $24,000 ($6,000 each) for the decorative painting of temporary plywood surfaces in and adjacent to the main rotunda of San Francisco City Hall, and authorizing the firm of Evans and Brown to perform such work. (Department of Public Works)

File 38-92-17.1, Resolution No. 580-92

Adopted.

[Extension of Existing Real Property Lease]
Resolution authorizing extension of an existing lease of real property at 1975-99 Bryant Street for Department of Parking and Traffic, Traffic Engineering Division. (Real Estate Department)

File 64-92-9, Resolution No. 584-92

Adopted.

[Extension of Existing Real Property Lease]
Resolution authorizing extension of an existing lease of vacant land at Army and Evans Streets for Department of Public Works, for storage of equipment and recycled road materials. (Real Estate Department)

File 64-92-10, Resolution No. 585-92

Adopted.

[Extension of Existing Real Property Lease]
Resolution authorizing extension of an existing real property lease for the Controller's Payroll and Internal Audit Division at 160 South Van Ness Avenue. (Real Estate Department)

File 64-92-11, Resolution No. 586-92

Adopted.

[Lease of Property]
Resolution authorizing a revocable license at 450 Seventh Street for the Police Department, for parking of police vehicles. (Real Estate Department)

File 64-92-15, Resolution No. 590-92

Adopted.

[Lease of Property]
Resolution authorizing extension of lease of real property at 732 Brannan Street for the District Attorney's Office. (Real Estate Department)

File 64-92-16, Resolution No. 591-92

Adopted.

[Amendment to Lease of Property]
Resolution authorizing amendment lease of real property at 1540 Market Street for Department of Public Health, Emergency Medical Services Agency. (Real Estate Department)

File 64-92-18, Resolution No. 593-92

Adopted.

[Lease of Property]
Resolution authorizing extension of an existing lease of real property at 1182 Market Street for offices for the Commission on the Aging. (Real Estate Department)

File 64-92-20, Resolution No. 595-92

Adopted.

[Extension of Existing Real Property Sublease]
Resolution authorizing extension of an existing sublease of real property at 3000 Third Street for Municipal Railway, required for maintenance and storing of Municipal Railway buses. (Real Estate Department)

File 64-92-21, Resolution No. 596-92

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of $1,794,405, which includes indirect costs in the amount of $207,155 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the Epidemiologic Study of the natural history of HIV/AIDS in homosexual/bisexual men previously enrolled in studies of Hepatitis B Infection. (Department of Public Health)

File 146-92-41, Resolution No. 610-92

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a supplemental grant of $39,501 from the Health Resources and Services Administration to augment the Ryan White Comprehensive AIDS Resources Emergency (Care/Title Formula) Disaster Relief Grant; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 146-92-43, Resolution No. 611-92

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a supplemental grant of $420,851, which includes indirect costs in the amount of $45,418, based on twenty percent of salaries, from the Centers for Disease Control to fund the HIV Incidence in Homosexual/Bisexual Males Research Project; providing for ratification of action previously taken. (Department of Public Health)

File 146-92-44, Resolution No. 612-92

Adopted.

[Comprehensive Tobacco Control Plan and Budget]
Resolution authorizing adoption of the 1992-94 Comprehensive Tobacco Control Plan and Budget Supplemental Perinatal Outreach Plan. (Department of Public Health)

File 146-92-45, Resolution No. 613-92

Adopted.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Michael B. Davis against the City and County of San Francisco by payment of $17,500. (City Attorney)

File 45-92-26, Ordinance No.

(United State District Court No. C-90-2299DLJ.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Ray McCowan against the City and County of San Francisco by payment of $16,000. (City Attorney)

File 45-92-31, Ordinance No.

(Municipal Court No. 045-423.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Essel and Homer Magat against the City and County of San Francisco by payment of $26,000. (City Attorney)

File 45-92-32, Ordinance No.

(Superior Court No. 934-944.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Jay Endicott against the City and County of San Francisco by payment of $6,000. (City Attorney)

File 45-92-33, Ordinance No.

(Superior Court No. 938-244.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of City and County of San Francisco v. Terminals Equipment Company, Inc., for $7,500,000 plus interest at six percent annually from December 1, 1991. (City Attorney)

File 45-92-34, Ordinance No.

(Superior Court No. 927-015.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Herbert R. Odom and Jean Odom against the City and County of San Francisco, William Otoshi, et al. by payment of $8,000. (City Attorney)

File 45-92-35, Ordinance No.

(Superior Court 935-209.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Sherry Walker and Nancy Amaya against the City and County of San Francisco by payment of $60,082. (City Attorney)

File 45-92-36, Ordinance No.

(U.S. District Court No. C91-0566 BAC.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Shou Wong against the City and County of San Francisco by payment of $14,500. (City Attorney)

File 45-92-37, Ordinance No.

(Superior Court 912-725.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Helen Simon against the City and County of San Francisco, et al. by payment of $14,000. (City Attorney)

File 45-92-38, Ordinance No.

(Superior Court 936-815.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of the City and County of San Francisco against the State of California, by receiving payment of $190,000. (City Attorney)

File 46-92-9, Ordinance No.

(Superior Court Nos. 892-764, 900-689, 901-100, 910-062, 911-406, 913-858, 904-334, 918-198.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of the City and County of San Francisco against Victoria A. Esmas for $12,500 to be paid to the General Fund. (City Attorney)

File 46-92-10, Ordinance No.

(Superior Court No. 929-386)

Passed for second reading.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 6.

Absent: Supervisors Achtenberg, Alioto, Britt, Conroy, Migden - 5.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Art Commission]
Ordinance amending Administrative Code, to permit the representation of the City and County, through the Art Commission, in nine arts organizations. (Art Commission)

File 97-91-60, Ordinance No. 224-92

(Amends Section 16.6-45.)

Finally passed by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Special Election]
Ordinance calling and providing for a special election to be held in the City and County on Tuesday, November 3, 1992, for the purpose of submitting to the voters of the City and county propositions to incur the following bonded debts of the City and County for the acquisition, construction or completion by the city and County of the following municipal improvements, to wit: $350,000,000 to provide loans for the seismic strengthening of unreinforced masonry buildings devoted to affordable housing and to market-rate residential, commercial and institutional uses and to pay necessary administrative costs incidental thereto and establishing certain terms and conditions in connection with said loans; $158,100,000 for

construction and reconstruction of correctional facilities to replace the existing San Bruno jail facilities; $40,800,000 for construction and reconstruction of Fire Department facilities; that the estimated cost of said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such municipal improvements; fixing the date of election and the manner of holding such election and the procedure for voting for or against the propositions; fixing the maximum rate of interest on said bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the special election with the general election; and providing that the election precincts, voting places and officers for election shall be the same as for such general election. (Supervisors Hsieh, Gonzalez, Conroy)

File 60-92-4, Ordinance No. 217-92

Finally passed by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Fire Department]
Ordinance amending Administrative Code, adding and deleting certain organizations to the membership list of the Fire Department. (Fire Department)

File 97-92-25.1, Ordinance No. 218-92

(Amends Section 16.6-6.)

Finally passed by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Fees - Medical Examiner-Coroner]
Ordinance amending Administrative Code, authorizing the Medical Examiner-Coroner to charge fees for certain services and to increase fees for copies of documents and certain services. (Chief Medical Examiner-Coroner)

File 97-92-34, Ordinance No. 222-92

(Amends Section 8.14.)

Finally passed by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Britt, Migden - 4.

[Street Closure Fees]
Ordinance amending Administrative Code, (Temporary Use or Occupancy of Public Streets), to increase the application fee for temporary use of streets for street fairs from forty dollars to eighty dollars. (Department of Parking and Traffic)

File 97-92-37, Ordinance No. 223-92

(Amends Section 2.70-6.)

Finally passed by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Britt, Migden - 4.

[Vehicle Removal Administrative Fee]
Ordinance amending Traffic Code, relating to imposing an administrative fee for removing vehicles from city streets and highways. (Department of Parking and Traffic)

File 124-92-6, Ordinance No. 228-92

(Adds Section 170.1.)

Finally passed by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Britt, Migden - 4.

[Abatement of Abandoned Vehicles]
Ordinance amending Traffic Code, by adding, as Article 13A thereof, Section 225, relating to establishment of a service authority for abatement of abandoned vehicles; Section 226 relating to imposing a service fee for the Abandoned Vehicle Trust Fund; Section 227 relating to procedures for abatement of abandoned vehicles; Section 228 relating to preparation of an Abandoned Vehicle Abatement Program and Plan; and Section 229 relating to the definitions of terms; and by amending Article 14 thereof in the following particulars: amending Sections 230, 231 and 245 thereof, to include highways as property from which abandoned vehicles may be removed; further amending Section 231 thereof to add a definition; amending Section 234 thereof to refer to new Article 13A of the Traffic Code and to define the scope of the authority of the Department of Public

Health; amending Sections 235 and 236 thereof to transfer from the Purchaser of Supplies to the Director of Parking and Traffic the authority to enter into contracts for towing; adding Section 244.1 authorizing the imposition of a fine on the owners of abandoned vehicles; and further amending Section 245 thereof to allow money received from the State's Abandoned Vehicle Trust Fund to be credited to the Abandoned Vehicle Abatement and Removal Fund of the City. (Department of Parking and Traffic)

File 124-92-7, Ordinance No. 229-92

Finally passed by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Britt, Migden - 4.

[Utility Users Tax Rate Adjustment]
Ordinance amending Article 10 of Part III, Municipal Code (Utility Users Tax), to extend the telephone users tax to interstate and international telephone communication services and to increase the rates of the telephone users tax to six and one-half percent (6-1/2%), of the electricity users tax to six and one-half percent (6-1/2%), of the gas users tax to six and one-half percent (6-1/2%), of the water users tax to six and one-half percent (6-1/2%), and of the steam users tax to six and one-half percent (6-1/2%) for one year commencing August 1, 1992. (Mayor)

File 127-92-5, Ordinance No. 215-92

(Amends Article 10.)

Finally passed by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Britt, Migden - 4.

Recommendations of Finance and City Services Committees

Finally Passed

[Earthquake Hazard Reduction]
Ordinance amending Building Code, by adding Chapters 14 and 15 and revising Chapters 2 and 3 thereto relating to earthquake hazard reduction in unreinforced masonry bearing wall buildings. (Supervisors Hsieh, Migden, Alioto, Shelley, Maher, Achtenberg, Kennedy)

File 114-92-4, Ordinance No. 225-92

Finally passed by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Unreinforced Masonry Building Seismic Retrofit]
Ordinance amending Planning Code by amending Section 181 to permit nonconforming uses to continue following required seismic retrofitting of unreinforced masonry buildings; by amending Section 188 to permit a noncomplying structure to exist following required retrofit of unreinforced masonry buildings and to permit minor modifications to Planning Code requirements in certain circumstances; by amending Section 1005 to provide a limited exemption for required retrofit activities of unreinforced masonry buildings designated as landmarks or as contributory buildings in historic districts; by amending Section 1111.1 to provide a limited exemption for required seismic retrofit activities of unreinforced masonry buildings designated as significant or contributory building or any category V building in a conservation district; and, adopting findings pursuant to Section 101.1. (Supervisors Hsieh, Migden, Alioto, Shelley, Maher, Achtenberg, Kennedy)

File 115-92-8, Ordinance No. 227-92

Finally passed by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Rent Board]
Ordinance amending Administrative Code by adding Section 37.8B thereto to establish expedited hearing and appeal procedures for capital improvements which result from seismic work on unreinforced masonry buildings pursuant to Building Code Chapters 14 and 15 where landlords performed the work with a unreinforced masonry building bond loan, by amending Section 37.2 to provide that dwelling units which have undergone seismic strengthening in accordance with Building Code Chapters 14 and 15 shall remain subject to the Rent Ordinance, with exception, and by amending Section 37.3 to limit certain capital improvement passthroughs to 10% per year over the base rent, subject to the adoption of Rent Board rules regarding landlord hardship and by amending Section 39.9 to require landlords who demolish their buildings pursuant to Building Code Chapters 14 and 15 to pay relocation expenses for their tenants. (Supervisors Migden, Hsieh, Achtenberg, Shelley)

File 97-92-27.2, Ordinance No. 221-92

(June 22, 1992 - Transferred from City Services Committee, fiscal impact.)

Finally passed by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

Recommendations of City Services Committee

Finally Passed

[Unreinforced Masonry Buildings Demolition/Alteration]
Ordinance amending Building Code, concerning notice requirements for demolition or substantial alteration of unreinforced masonry buildings. (Supervisors Hsieh, Migden, Alioto, Shelley, Maher, Achtenberg, Kennedy)

File 114-92-5, Ordinance No. 226-92

(Amends Sections 302(a) and 303(f).)

Finally passed by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Unreinforced Masonry Buildings]
Ordinance amending Administrative Code, (Residential Hotel Unit Conversion and Demolition Ordinance) to permit temporary relocation of tenants within the same residential hotel structure to allow seismic retrofit activities. (Supervisors Hsieh, Migden, Alioto, Shelley, Maher, Achtenberg, Kennedy)

File 97-92-27, Ordinance No. 219-92

(Amends Section 41.19.)

Finally passed by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Unreinforced Masonry Buildings]
Ordinance amending Administrative Code, requiring owners undertaking seismic work on unreinforced masonry buildings pursuant to Building Code Chapters 14 and 15 to reduce their tenants' rents for lost use during construction or to pay relocation expenses up to a maximum of

$1500 per dwelling unit per month; companion measure to File 114-92-4.1. (Supervisors Migden, Hsieh, Achtenberg, Shelley)

File 97-92-27.1, Ordinance No. 220-92

(Adds Chapter 65.)

Finally passed by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Sale of Surplus Property]
Ordinance authorizing the sale of surplus city-owned property to Mission Housing Development Corporation, for development of 50 units of low-income senior housing; and to adopt findings pursuant to Planning Code Section 101.1. (Real Estate Department)

File 96-92-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Membership List]
Ordinance amending Administrative Code by adding six and deleting four organizations represented by the Department of Treasurer/Tax Collector. (Treasurer/Tax Collector)

File 97-92-25.2, Ordinance No.

(Amends Sections 16.6-22 and 16.6-23.)

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Membership List]
Ordinance amending Administrative Code to correct the name changes of certain organizations in which the Board of Supervisors provide representation for the City and County. (Finance Committee)

File 97-92-25.3, Ordinance No.

(Amends Sections 16.6-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Street Closure Fees]
Ordinance amending Administrative Code (Temporary Use or Occupancy of Public Streets) to increase the application fee for temporary use or occupancy of public streets from forty dollars to eighty dollars. (Department of Parking and Traffic)

File 97-92-39, Ordinance No.

(Amends Section 2.70-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Parking Meter Revenue Allocation]
Ordinance amending Traffic Code by to provide that in fiscal year 1992-93 the first $8.0 million in parking meter revenues will be allocated to the General Fund and revenues in excess of $8.0 million will be allocated to the Off-Street Parking Fund. (Department of Parking and Traffic)

File 124-92-3.1, Ordinance No.

(Amends Section 213.)

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

Question Divided; Adopted as Divided

[Parking Rate Change]
Resolution approving changes in parking rates at City-owned parking facilities. (Department of Parking and Traffic)

File 47-92-4, Resolution No. 582-92

At the request of Supervisor Hsieh, the question was divided with respect to the hotel parking rates at the Sutter/Stockton and Union Square Garages, so the matter could be considered separately.

The roll was then called on the main resolution, as divided, and it was adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

Consideration Continued

[Awarding Sub-concessionaire Agreements for Hotel Parking]
Resolution approving hotel parking rates and requesting the Parking and Traffic Commission consider, investigate and initiate an open bidding process leading to the evaluation of the possibility of awarding sub-concessionaire agreements for hotel parking at the Sutter/Stockton and Union Square Garages.

File 47-92-4.1, Resolution No.

Supervisor Hsieh, seconded by Supervisor Maher, moved to continue consideration to July 20, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

Adopted

[Contracting Award Extension]
Resolution granting extension of time for award of Hetch Hetchy Contract No. HH-829, O'Shaughnessy Dam Septic System Rehabilitation, Phase II, retroactive to May 26, 1992. (Public Utilities Commission)

File 61-92-4, Resolution No. 573-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Contract Award Extension]
Resolution granting extension of time for awarding Municipal Railway Contract No. MR-898, 14 Mission Line Trolley Overhead Reconstruction (Phase A, Persia Avenue to Daly City Loop). (Public Utilities Commission)

File 61-92-5, Resolution No. 583-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Extension of Sublease Lease]
Resolution authorizing extension of sublease of real property required by the Department of Public Works at 1170 Market Street, 7th floor for use as offices for the Personnel and Computer Services Division, retroactive to July 1, 1992. (Real Estate Department)

File 64-92-12, Resolution No. 587-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Extension of Existing Real Property Leases]
Resolution authorizing extensions of three certain existing leases of real property for the Department of Social Services, retroactive to July 1, 1992. (Real Estate Department)

File 64-92-13, Resolution. No. 588-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Extension of Existing Real Property Leases]
Resolution authorizing extensions of eight certain existing leases of real property for various City departments, retroactive to July 1, 1992. (Real Estate Department)

File 64-92-14, Resolution No. 589-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Lease of Property]
Resolution authorizing renewals and extensions of nine certain existing leases of real property required by the Retirement System, Police Department, Department of Public Works, Fire Department, Public Utilities Commission and the Fine Arts Museum, retroactive to July 1, 1992. (Real Estate Department)

File 64-92-17, Resolution No. 592-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Lease of Property]
Resolution authorizing extension of an existing lease of real property at 1625 Van Ness Avenue for offices for the Department of Social Services' Child Welfare Division, retroactive to July 1, 1992. (Real Estate Department)

File 64-92-19, Resolution No. 594-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Grant - Federal Funds]
Resolution authorizing the Mayor of the City and County of San Francisco to apply for, retroactively, accept and expend funds in the amount of $35,991, which includes indirect costs in the amount of $1,980 based on five percent of the total project cost, made available through the Office of Criminal Justice Planning for a project entitled "Gang Prevention Program GVSP", and agreeing to provide matching funds in the amount of $3,599. (Mayor)

File 68-92-8, Resolution No. 522-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Grant - State Funds]
Resolution authorizing the Chief Adult Probation Officer of the City and County of San Francisco to apply for, retroactively, accept and expend funds in the amount of $105,055, which includes indirect costs in the amount of $5,836 based on five percent of the total project cost, made available through the Office of Criminal Justice Planning for a project entitled "Gang Caseload Component of the Intensive Services Unit", and agreeing to provide matching funds in the amount of $11,673. (Adult Probation Department)

File 130-92-3, Resolution No. 600-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Anti-Drug Abuse Funds]
Resolution authorizing the Chief Adult Probation Officer of the City and County of San Francisco to apply for, retroactively, accept and expend funds in the amount of $188,400, which includes indirect costs in the amount of $9,370 based on five percent of the total project costs less equipment purchased, made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Adult Probation's Drug Abatement Project". (Adult Probation Department)

File 130-92-4, Resolution No. 601-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Grant - State Funds]
Resolution authorizing the District Attorney of the City and County of San Francisco to apply, retroactively, for funds in the amount of $112,970, which includes indirect costs in the amount of $5,649, based on five percent of total project costs, made available through the Office of the Attorney General for the operation of a project entitled "Child Victim Witness Investigative Pilot Project", for the twelve month period July 1, 1992 through June 30, 1993. (District Attorney)

File 138-92-2, Resolution No. 602-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Grant - State Funds]
Resolution authorizing the District Attorney of the City and County of San Francisco to apply for, retroactively, accept and expend grant funds in the amount of $236,141, which includes indirect costs in the amount of $12,369 based on five percent of total project costs, made available through the California Office of Criminal Justice Planning for the operation of the Career Criminal Program for the twelve month period of July 1, 1992 through June 30, 1993 and agreeing to provide cash match in the amount of $23,614. (District Attorney)

File 138-92-3, Resolution No. 603-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Grant - State Funds]
Resolution authorizing the District Attorney of the City and County of San Francisco to apply for, retroactively, accept and expend funds in the amount of $330,812, which includes indirect costs in the amount of $16,541 based on five percent of total project costs, made available through the Office of Criminal Justice Planning for a project entitled "San Francisco District Attorney's Drug Abatement Project", for the twelve month period of July 1, 1992 through June 30, 1993. (District Attorney)

File 138-92-4, Resolution No. 604-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Grant Private Funds]
Resolution authorizing the San Francisco Juvenile Probation Department to apply for, retroactively, grant monies from the San Francisco Foundation ($30,000) and Kaiser Family Foundation

($25,000) for the development of a multi-disciplinary assessment instrument, classification system and workload study; waiving indirect cost. (Juvenile Probation Department)

File 141-92-2, Resolution No. 605-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Grant - Federal Funds]
Resolution authorizing the Chief of Police of the City and County of San Francisco to apply for, retroactively, accept and expend funds in the amount of $137,962, which includes indirect costs in the amount of $6,898 based on five percent of total project costs, made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Police Department's Drug Abatement Project". (Police Commission)

File 143-92-2, Resolution No. 606-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to apply for a grant of $99,534, from the Health Resources and Services Administration to fund the Field Test of the Uniform Reporting System Project; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 146-92-36, Resolution No. 607-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to apply for, retroactively, accept and expend a grant of $470,379, which includes

indirect costs in the amount of $20,530 based on ten percent of allowable salaries and a required match in the amount of $318,968, which is sixty-seven percent of the total award, from the State Department of Health Services, Maternal Child Health Branch for perinatal outreach services, and to execute a contract with the State for $470,379 and any amendments thereto which do not increase this amount. (Department of Public Health)

File 146-92-37, Resolution No. 608-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to accept and expend a grant of $377,803, which includes indirect costs in the amount of $9,811 based on ten percent of allowable salaries and a required match in the amount of $55,971, which is 14.8 percent of the total award, from the State Department of Health Services, Maternal Child Health Branch for perinatal and related services, and to execute a contract with the State for $377,803 and any amendments thereto which do not increase this amount. (Department of Public Health)

File 146-92-38, Resolution No. 609-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Allocation - State Funds]
Resolution authorizing the Department of Public Health, Community Public Health, Bureau of Health Promotion and Education, to accept and expend $2,127,666, which includes indirect costs in the amount of $127,932 (consisting of $107,402 or 15 percent of total personnel costs including fringe benefits for the Comprehensive Tobacco Control Plan, and $20,530 or 10 percent of salaries for Perinatal Outreach Activities), provided that the Department of Public Health expends the funds consistent with the 1992-94 Comprehensive Tobacco Control Plan and Budget, and the Supplemental Perinatal Outreach Plan and Budget; placing $863,831 on reserve. (Department of Public Health)

File 146-92-46, Resolution No. 614-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Grant - Federal Funds]
Resolution authorizing the Director of Public Works to accept and expend Federal funds in the amount of $7,257,000 for pavement renovation of various streets as listed in this resolution; waiving indirect costs; placing $7,257,000 on reserve. (Department of Public Works)

File 148-92-4, Resolution No. 615-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Anti-Drug Abuse Funds]
Resolution authorizing the Sheriff of the City and County of San Francisco to apply for, retroactively, accept and expend funds in the amount of $84,558, which includes indirect costs in the amount of $4,153 based on 4.9 percent of the total project costs, made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Sheriff's Drug Abatement Project". (Sheriff)

File 152-92-2, Resolution No. 616-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

Consideration Continued

[Redevelopment Agency Budget and Bonds]
Resolution approving the budget of the Redevelopment Agency for fiscal year 1992-1993; approving and authorizing an amendment to the indebtedness limitation agreement between the Redevelopment Agency and the City and County; approving the issuance by the Agency of bonds in an aggregate principal amount not to exceed $65,000,000 for the purpose of financing redevelopment activities in fiscal year 1992-1993.

File 161-92-4, Resolution No.

Supervisor Gonzalez, seconded by Supervisor Conroy, moved to continue consideration to July 20, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

Recommendations of Administration and Oversight Committee

Adopted

[State Legislative Representative]
Resolution ratifying the Mayor's appointment of Peter Finnegan as the State Legislative Representative for the City and County of San Francisco. (Mayor)

File 33-92-1, Resolution No. 620-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Noes: Supervisor Gonzalez - 1.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Appointments]
Resolution appointing members to the Senior Services Task Force; making findings waiving residency requirement. (Administration and Oversight Committee)

File 92-92-21, Resolution No. 598-92

(Geraldine Erp;
Peter Ashe, Recreation and Park Department;
Annette Williams, Municipal Railway;
George W. Tainter, terms expiring July 1, 1994.)

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Appointment]
Resolution appointing member to the Emergency Medical Care Committee. (Administration and Oversight Committee)

File 92-92-28.1 Resolution No. 599-92

(Yuhum Digdigan, Nurses Association, vice herself, term expired for three-year term ending June 30, 1995.)

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Conroy, Migden - 4.

With Recommendation "DO SUBMIT"

(Pursuant to provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee, and any Board order of submission to the electorate.

In accordance therewith, consideration of the following Charter amendment appropriately may be continued at least one week.)

Consideration Continued

[Charter Amendment]
Charter amendment (Second Draft) amending Section 7.309 relating to financing construction or improvement of capital facilities or purchase of equipment. (Supervisor Hsieh)

File 229-92-1

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to July 20, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Conroy, Migden - 4.

Recommendations of City Services Committee

Adopted

[Street Artist]
Resolution redesignating one selling space on Grant Avenue, west side, Geary Street to Maiden Lane, for street artists certified by the Art Commission, City and County of San Francisco, and exempting said space from the regulation prohibiting selling adjacent to a yellow zone; providing for an annual review of this redesignation beginning in August of 1993, and describing the purpose of the annual review. (Supervisor Hallinan)

File 169-92-1, Resolution No. 617-92

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to continue consideration to July 20, 1992.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Kennedy - 3.

Noes: Supervisors Britt, Hsieh, Maher - 3.

Absent: Supervisors Achtenberg, Alioto, Conroy, Migden, Shelley - 5.

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Achtenberg, Alioto, Conroy, Migden, Shelley - 5.

[Street Artists]
Resolution redesignating for six months two selling spaces on Beach Street, northwest corner, at Hyde Street, for street artists certified by the Art Commission, City and County of San Francisco, pursuant to Board of Supervisors Resolution No. 940-91. (Supervisor Hallinan)

File 169-92-2, Resolution No. 618-92

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Achtenberg, Alioto, Conroy, Migden, Shelley - 5.

COMMITTEE REPORTS

Recommendations of Finance Committee

Consideration Continued

[Annual Budget]
Annual Budget for the City and County of San Francisco for Fiscal Year 1992-93. (Mayor)

File 100-92-1

(Administrative Code Section 3.5 provides the Board shall adopt the Budget not earlier than July 15, 1992 nor later than July 26, 1992.)

Supervisor Gonzalez presented as recommendation of committee.

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to continue consideration to July 20, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Achtenberg, Alioto, Conroy, Migden, Shelley - 5.

[Government Funding]
Annual Appropriation Ordinance for Fiscal Year 1992-93. (Mayor)

An ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1993.

File 101-92-2, Ordinance No.

Supervisor Gonzalez presented as recommendation of Committee.

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to continue consideration to July 20, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Achtenberg, Alioto, Conroy, Migden, Shelley - 5.

[Annual Salary Ordinance]
Annual Salary Ordinance for Fiscal Year 1992-93. (Civil Service Commission)

An ordinance enumerating all positions continued or created by the Board of Supervisors in adopting the annual budget and appropriation ordinance for fiscal year ending June 30, 1993; continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law which compensations are paid from City and County funds and appropriated in Annual Appropriation Ordinance; authorizing appointments or continuation of appointments, thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensation therefor.

File 102-92-2, Ordinance No.

Supervisor Gonzalez presented as recommendation of Committee.

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to continue consideration to July 20, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Achtenberg, Alioto, Conroy, Migden, Shelley - 5.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Shelley E. Salieri;
Dehnert Queen.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Federal Legislation]
Resolution endorsing the Sensible Advertising and Family Education Act (HR 1443) to require all alcohol beverage advertising and promotional materials to carry health and safety warning messages about drinking during pregnancy and about drinking and driving. (Supervisor Shelley)

File 13-92-10, Resolution No. 578-92

(July 6, 1992 - Introduced in Board for consideration July 13, 1992.)

Adopted.

[Backroom Office Space]
Resolution urging the Mayor to request the City Planning Commission

to survey and identify areas of the City that would be appropriate for reclassification to permit backroom office space. (Supervisor Kennedy)

File 189-92-1, Resolution No. 619-92

(July 6, 1992 - Introduced in Board for consideration July 13, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 6.

Absent: Supervisors Achtenberg, Alioto, Britt, Conroy, Migden - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-28, Resolution No. 574-92

(Frank M. Jordan, Mayor, July 11 - 15; Louise H. Renne, City Attorney, July 11 - 16; Raymond J. Baxter, Ph.D., Director of Health, July 10 - 24 and July 29; Dale Carlson, member, Library Commission, July 4; Genny Lim, member, Art Commission, July 7 - 20; L. L. Litchfield, Superintendent, Bureau of Building Inspection, August 28 - September 4; Patrick A. Murphy, President, Airports Commission, July 21 - August 17; Kenneth Romines, member, Library Commission, July 1 - 3; Barbara Sklar, member, Art Commission, July 7 - 17; Albert C. Walker, General Manager, Civil Service Commission, August 18 - 30, and September 18 - 27; Joanne Chow Winship, Director of Cultural Affairs, Art Commission, August 8 - 18 and September 5 - 12; Roselyne Swig, member, Library Commission, July 10 - 16, 1992.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[SF State University Nursing Program]
Resolution urging the California State Legislature to protect the California State University budget for nursing programs.

File 12-92-33, Resolution No. 575-92

Supervisor Shelley presented for immediate adoption.

Adopted.

[RU 486]
Resolution urging the Federal Drug Administration to return the confiscated abortion drug RU 486 to Leona Benton, which has been brought into the United States legally and for the purpose of exercising her constitutional rights.

File 13-92-11, Resolution No. 576-92

Supervisor Hallinan presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of portion of Belden Place, between Bush and Pine Streets, Tuesday, July 14, 1992, 11:00 a.m. until 2:00 a.m., Wednesday, July 15, 1992 for a Bastille Day Celebration.

File 42-92-28, Resolution No. 577-92

Supervisor Shelley presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 6.

Absent: Supervisors Achtenberg, Alioto, Britt, Conroy, Migden - 5.

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Monday, July 13, 1992

Referred to Committee

[Parking Tax Surcharge]
Ordinance amending Part III of the Municipal Code by adding Section 602.5-2, which suspends five percent of the parking tax surcharge, effective January 1, 1993. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 127-92-6

Referred to Board

[Youth Employment Program, Federal Funding]
Resolution memorializing Congresswoman Nancy Pelosi to seek on behalf of the City and County of San Francisco federal funding to guarantee the continuation and success of the City's Youth Employment Program. (Supervisors Kennedy and Gonzalez presented.) Referred to Board July 20, 1992 For Adoption Without Committee Reference Calendar.

File 13-92-12

[Jobs]
Resolution urging San Francisco's Congressional Delegation to oppose agreements or administrative actions that would undermine jobs, health and safety in the United States. (Supervisor Shelley presented.) Referred to Board July 20, 1992 For Adoption Without Committee Reference Calendar.

File 13-92-13

Referred to Committee

[Redevelopment Agency Budget and Bonds]
Resolution approving an amendment to the Budget of the Redevelopment Agency of the City and County for fiscal year 1992-93; the issuance of not to exceed $550,000 of tax allocation bonds; an appropriation of $55,000 for fiscal year 1992-93; and an amendment to the indebtedness limitation agreement. (Supervisor Kennedy presented.) Referred to Finance Committee.

File 161-92-5

[Childcare Fund Regulations]
Resolution adopting regulations governing expenditures of monies contributed by sponsors of large-scale office and hotel developments to the Affordable Child Care Fund. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 213-92-1

Referred to Board

[Youth Employment Program]
Resolution urging the Mayor to establish a Youth Employment Program that would coordinate year-round youth employment services in the City of San Francisco and requesting that the Board of Supervisors receive on July 1, 1993, a report describing and evaluating the success of the City in establishing, funding and maintaining a Youth Employment Program during fiscal year 1992-93. (Supervisors Kennedy and Gonzalez presented.) Referred to Board July 20, 1992 For Adoption Without Committee Reference Calendar.

File 250-92-1

[Youth Employment Program]
Resolution urging the Mayor to urge the Public Utilities Commission to provide $500,000 for the funding of year round employment opportunities for African-American youth, Hispanic youth and youth from the disadvantaged neighborhoods of the Mission, Western Addition and the Bayview-Hunters Point; urging the Redevelopment Agency to provide $1,000,000 for the funding of year round employment opportunities for African-American youth, Hispanic youth, and youth from the disadvantaged neighborhoods of the Mission, Western Addition and the Bayview-Hunters Point; urging the Mayor to urge the Airports Commission and the Port Commission to commit $1,000,000 each per year for the next five years to insure the continuing operation of a year-round Youth Employment Program; and urging the Housing Authority to redirect any and all funds that may be allocated for youth services to assist the City's Youth Employment Program. (Supervisors Gonzalez and Kennedy presented.) Referred to Board July 20, 1992 For Adoption Without Committee Reference Calendar.

File 250-92-2

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-92-40. [Settlement of Lawsuit] Authorizing settlement of litigation of Myrna A. Ragotero, Rolly P. Chan against the City and County of San Francisco, et al. by payment of $8,000. (City Attorney) Administration and Oversight

File 45-92-41. [Settlement of Lawsuit] Authorizing settlement of litigation of Paul Chan against Ali Feroz and the City and County of San Francisco, et al. by payment of $12,000. (City Attorney) Administration and Oversight

File 46-92-11. [Settlement of Lawsuit] Authorizing settlement of Stephen Jones v. Nandi D. Sundaram, et al., upon receipt of the sum of $7,500 and dismissal of complaint. (City Attorney) Administration and Oversight

File 46-92-12. [Settlement of Lawsuit] Authorizing settlement of Mary Jean Stalion v. Barry Ross, Lorence Vogt, et al., upon receipt of the sum of $7,750 and dismissal of complaint. (City Attorney) Administration and Oversight

File 101-92-3. [Government Funding] Appropriating $6,100,000, Department of Public Works, for various capital improvement project. (Controller) Finance

File 101-92-4. [Government Funding] Appropriating $135,778, Department of Public Works, for various purposes. (Controller) Finance

Resolutions Referred to Committee

File 10-92-1. [Permit] Granting revocable permission to 111 Jones Streets Limited Partnership to install a P.G. & E. transformer vault under the sidewalk fronting 111 Jones Street (Block 344, Lot 21), and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works) City Services

File 25-92-24. [Contracting Out City Services] Concurring with the Controller's certification that parking meter revenue collection can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Department of Parking and Traffic) Finance

File 28-92-8. [Emergency Repair] Authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to clean the sewer in Fifth Street between Folsom and Bryant Streets - $75,000. (Department of Public Works) Finance

File 28-92-9. [Emergency Repair] Authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace the failing sewer in Stockton Street between Broadway and Pacific Avenue - $74,940. (Department of Public Works) Finance

File 48-92-17. [Settlement of Claim] Approving the settlement of the unlitigated claim of Merrill D. Mecham by payment of $10,000. (City Attorney) Administration and Oversight

File 64-92-22. [Lease of Property] Authorizing lease of real property at 233 Post Street for the Fine Arts Museum. (Real Estate Department) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hallinan, that letter be sent to Shell Oil requesting suspension of any further activity of their toxics incinerator at the property, once a Shell gas station, at 2198 Fell Street until the safety of the procedure can be determined and a meeting is held with the neighborhood.

By Supervisor Achtenberg, that City Attorney prepare motion to amend the Board of Supervisors Rules of Order (4.20, 4.31), which would restrict usage of the Board's immediate adoption rules, including restriction of methods to pass legislation before it has been available to the public for 30 days.

By Supervisor Kennedy, that letter of inquiry be sent to Acting Executive Director, Department of Parking and Traffic, to determine the feasibility of installing a sign such as "Slow Down, Children at Play" next to the "Dead End" sign in the 400 block of Molimo Drive.

By Supervisor Shelley, that letter be sent to Director of Planning inquiring as to the status of permit applications submitted by owners of property on Eighth Avenue for work related to the Loma Prieta earthquake and what the Department's policy is with regard to Eighth Avenue permit applications.

By Supervisor Hallinan, that Budget Analyst be requested to do an audit of general fund monies spent on cars for City employees.

Committee Assignment

Effective July 8, 1992, Supervisor Achtenberg was appointed by President Shelley to serve as Vice-Chair of the Economic and Social Policy Committee, vice Supervisor Angela Alioto.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Thom Bartasavage (Supervisor Britt)
Michael Ramos (Supervisor Britt)
Natalie Byrd (Supervisor Kennedy)

File 2-92-28

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:34 p.m. adjourned.

John L. Taylor, Clerk

Monday, July 13, 1992

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 22, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 87 No. 29

Monday, July 20, 1992

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Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 20, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:47 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Conroy, Hsieh, Kennedy, Maher, Shelley - 7.

Noted absent at first roll call:

Supervisors Alioto, Gonzalez, Hallinan, Migden - 4.

Quorum present.

Supervisor Alioto was noted present at 2:49 p.m.

Supervisor Gonzalez was noted present at 2:50 p.m.

Supervisor Hallinan was noted present at 2:50 p.m.

Supervisor Migden was noted present at 2:57 p.m.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Lease Amendment]
Ordinance approving Second Amendment to lease between Mission Creek Harbor Association and the City and County operating by and through the San Francisco Port Commission. (Supervisor Maher)

File 65-92-9, Ordinance No. 241-92

Finally passed.

[Sale of Surplus Property]
Ordinance authorizing the sale of surplus City-owned property to Mission Housing Development Corporation, for development of 50 units of low-income senior housing; and to adopt findings pursuant to Planning Code Section 101.1. (Real Estate Department)

File 96-92-4, Ordinance No. 243-92

Finally passed.

[Membership List]
Ordinance amending Administrative Code to add six and delete four organizations represented by the Department of Treasurer/Tax Collector. (Treasurer/Tax Collector)

File 97-92-25.2, Ordinance No. 244-92

(Amends Sections 16.6-22 and 16.6-23.)

Finally passed.

[Membership List]
Ordinance amending Administrative Code to correct the name changes of certain organizations in which the Board of Supervisors provide representation for the City and County. (Finance Committee)

File 97-92-25.3, Ordinance No. 245-92

(Amends Sections 16.6-1.)

Finally passed.

[Street Closure Fees]
Ordinance amending Administrative Code (Temporary Use or Occupancy of Public Streets) to increase the application fee for temporary use or occupancy of public streets from forty dollars to eighty dollars. (Department of Parking and Traffic)

File 97-92-39, Ordinance No. 246-92

(Amends Section 2.70-1.)

Finally passed.

[Parking Meter Revenue Allocation]
Ordinance amending Traffic Code, to provide that in fiscal year 1992-93 the first $8.0 million in parking meter revenues will be allocated to the General Fund and revenues in excess of $8.0 million will be allocated to the Off-Street Parking Fund. (Department of Parking and Traffic)

File 124-92-3.1, Ordinance No. 247-92

(Amends Section 213.)

Finally passed.

Adopted

[Sublease of Property]
Ordinance authorizing and approving sublease of City-owned property at 25 Van Ness Avenue, portion of First Floor (Lot 4, Block 834) to the Veterans Administration, commencing August 1, 1992. (Real Estate Department)

File 65-92-10, Ordinance No. 242-92

Adopted.

[Contracting Out City Services]
Resolution concurring with the Controller's certification that parking meter revenue collection can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Department of Parking and Traffic)

File 25-92-24, Resolution No. 630-92

Adopted.

[Emergency Repair]
Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to clean the sewer in Fifth Street between Folsom and Bryant Streets - $75,000. (Department of Public Works)

File 28-92-8, Resolution No. 631-92

Adopted.

[Performance Contract for Mental Health Services]
Resolution approving the San Francisco City and County Performance Contract for mental health services in Fiscal year 1991-92. (Department of Public Health)

File 30-92-7, Resolution No. 633-92

Adopted.

[Lease of Property]
Resolution authorizing lease of real property at 233 Post Street for the Fine Arts Museum. (Real Estate Department)

File 64-92-22, Resolution No. 638-92

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Special Programs for Youth as a sub-grantee, in collaboration with Northern California Pediatric AIDS Treatment Center as prime grantee, to accept and expend an allocation of $244,840 which includes indirect costs in the amount of $11,659 based on five percent of direct costs, from the National Institute of Health, National Institute of Allergy and Infectious Disease, for establishing clinical trial subunits and health services for youth. (Department of Public Health)

File 146-92-29, Resolution No. 643-92

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Public Health, Special Project for Youth, to accept and expend a grant of $90,466 from the Larkin Street Youth Center as the primary grantee of a grant from the Health Resources and Services Administration, for comprehensive health care to high risk and HIV-positive youth; waiving indirect costs. (Department of Public Health)

File 146-92-49, Resolution No. 644-92

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a grant not to exceed $2,615,796 which includes indirect costs not to exceed $75,322 based on ten percent of personnel costs, from the California Department of Health Services to continue funding the Master Grant Agreement; providing for ratification of action previously taken. (Department of Public Health)

File 146-92-51, Resolution No. 646-92

Adopted.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Michael B. Davis against the City and County of San Francisco by payment of $17,500. (City Attorney)

File 45-92-26, Ordinance No. 230-92

(United State District Court No. C-90-2299DLJ.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Ray McCowan against the City and County of San Francisco by payment of $16,000. (City Attorney)

File 45-92-31, Ordinance No. 231-92

(Municipal Court No. 045-423.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Essel and Homer Magat against the City and County of San Francisco by payment of $26,000. (City Attorney)

File 45-92-32, Ordinance No. 232-92

(Superior Court No. 934-944.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Jay Endicott against the City and County of San Francisco by payment of $6,000. (City Attorney)

File 45-92-33, Ordinance No. 233-92

(Superior Court No. 938-244.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of City and County of San Francisco v. Terminals Equipment Company, Inc., for $7,500,000 plus interest at six percent annually from December 1, 1991. (City Attorney)

File 45-92-34, Ordinance No. 234-92

(Superior Court No. 927-015.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Herbert R. Odom and Jean Odom against the City and County of San Francisco, William Otoshi, et al. by payment of $8,000. (City Attorney)

File 45-92-35, Ordinance No. 235-92

(Superior Court 935-209.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Sherry Walker and Nancy Amaya against the City and County of San Francisco by payment of $60,082. (City Attorney)

File 45-92-36, Ordinance No. 236-92

(U.S. District Court No. C91-0566 BAC.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Shou Wong against the City and County of San Francisco by payment of $14,500. (City Attorney)

File 45-92-37, Ordinance No. 237-92

(Superior Court 912-725.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Helen Simon against the City and County of San Francisco, et al. by payment of $14,000. (City Attorney)

File 45-92-38, Ordinance No. 238-92

(Superior Court 936-815.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of the City and County of San Francisco against the State of California, by receiving payment of $190,000. (City Attorney)

File 46-92-9, Ordinance No. 239-92

(Superior Court Nos. 892-764, 900-689, 901-100, 910-062, 911-406, 913-858, 904-334, 918-198.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of the City and County of San Francisco against Victoria A. Esmas for $12,500 to be paid to the General Fund. (City Attorney)

File 46-92-10, Ordinance No. 240-92

(Superior Court No. 929-386)

Finally passed.

Recommendation of Economic and Social Policy Committee

Adopted

[Parking of Vehicles]
Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market area; and adding Bonifacio, Dore, Langton, Lapu-Lapu, Mabini, Rizal, and Tandang Sora Streets to the list of streets upon which time limitations shall apply. (Parking and Traffic Department)

File 40-92-5, Resolution No. 634-92

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

Monday, July 20, 1992

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Adopted

[Annual Budget]
Annual Budget for the City and County of San Francisco for Fiscal Year 1992-93. (Mayor)

File 100-92-1

(Administrative Code Section 3.5 provides the Board shall adopt the Budget not earlier than July 15, 1992 nor later than July 26, 1992.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 10.

Noes: Supervisor Hsieh - 1.

[Early Retirement Positions in 92-93 Budget]
Motion confirming the placement in the 1992-1993 fiscal year budget of 35 net positions vacated due to the early retirement program that would otherwise be automatically abolished under the provisions of Proposition A.

File 100-92-1.1

Supervisor Hsieh presented for immediate adoption.

Supervisor Hsieh, seconded by Supervisor Maher, moved adoption.

Supervisor Hsieh stated that this motion is required under Charter Section 8.517-2 because of the 966 non-mandated positions vacated as a result of early retirement (Proposition A, November 1991) only 465 positions were abolished from the budget. The charter states at least 500 or 50 percent of the vacant, non-mandated positions shall be abolished; but upon recommendation of the Mayor, the Board of Supervisors, by a two-thirds vote, may restore some of the positions in the 1992-93 budget.

In response to Supervisor Hsieh's inquiry, the Clerk of the Board stated that adoption of the main motion will confirm the placement in the 1992-93 budget, as recommended by the Mayor and Finance Committee, of 35 positions vacated due to the early retirement program.

The roll was called on the main motion and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 8.

Noes: Supervisors Conroy, Hsieh, Maher - 3.

Passed for Second Reading

[Government Funding]
Annual Appropriation Ordinance for Fiscal Year 1992-93. (Mayor)

An ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1993.

File 101-92-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 10.

Noes: Supervisor Hsieh - 1.

Adopted

[Appropriations]
Motion authorizing the Controller to adjust interdepartmental appropriations, make necessary transfers to correct objects of expenditures, classifications and to correct clerical or computational errors as may be ascertained by the Controller to exist in the 1992-93 annual budget as adopted by the Board of Supervisors and directing the Clerk of the Board to notify the Controller.

File 101-92-2.1

Supervisor Gonzalez presented for immediate adoption.

Supervisor Gonzalez, seconded by Supervisor Alioto, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy,Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Passed for Second Reading

[Annual Salary Ordinance]
Annual Salary Ordinance for Fiscal Year 1992-93. (Civil Service Commission)

An ordinance enumerating all positions continued or created by the Board of Supervisors in adopting the annual budget and appropriation ordinance for fiscal year ending June 30, 1993.

File 102-92-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Adopted as Amended

[Parking Rate Change]
((Resolution approving hotel parking rates and requesting the Parking and Traffic Commission consider, investigate and initiate an open bidding process leading to the evaluation of the possibility of awarding sub-concessionaire agreements for hotel parking at the Sutter/Stockton and Union Square Garages.)) (Department of Parking and Traffic)

Resolution approving hotel parking rates and requesting the Parking and Traffic Commission consider and initiate an open bidding process leading to the awarding of sub-concessionaire agreements for hotel parking at the Sutter/Stockton and Union Square Garages.

File 47-92-4.1, Resolution No. 635-92

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to amend to increase the rates at both garages to $12.00.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Hsieh, Kennedy - 2.

Noes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Maher, Migden, Shelley - 9.

Supervisor Gonzalez, seconded by Supervisor Alioto, moved an amendment of the whole, entitled "Resolution approving hotel parking rates and requesting the Parking and Traffic Commission consider and initiate an open bidding process leading to the awarding of sub-concessionaire agreements for hotel parking at the Sutter/Stockton and Union Square Garages."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Maher, Migden, Shelley - 9.

Noes: Supervisors Hsieh, Kennedy - 2.

Resolution adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Maher, Migden, Shelley - 9.

Noes: Supervisors Hsieh, Kennedy - 2.

Rereferred to Committee

[Redevelopment Agency Budget and Bonds]
Resolution approving the budget of the Redevelopment Agency for fiscal year 1992-1993; approving and authorizing an amendment to the indebtedness limitation agreement between the Redevelopment Agency and the City and County; approving the issuance by the Agency of bonds in an aggregate principal amount not to exceed $65,000,000 for the purpose of financing redevelopment activities in fiscal year 1992-1993. (Supervisor Gonzalez)

File 161-92-4, Resolution No.

Supervisor Gonzalez, seconded by Supervisor Achtenberg, moved to rerefer to Finance Committee with direction to report back next Monday, July 27, 1992.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

From Administration and Oversight Committee
With Recommendation "DO SUBMIT"

Ordered Submitted

[Charter Amendment]
Charter amendment (Second Draft) amending Section 7.309 relating to financing construction or improvement of capital facilities or purchase of equipment. (Supervisor Hsieh)

File 229-92-1

Ordered submitted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Recommendation of City Services Committee

Passed for Second Reading as Amended

[Business Advisory Commission]
Ordinance repealing existing provisions of Administrative Code, abolishing the Bureau of Small Business and Small Business Advisory

Commission, and establishing a Business Advisory Commission within the Mayor's Office of Economic Planning and Development. (Supervisor Achtenberg)

File 97-92-19, Ordinance No.

(Repeals and adds Article III, Chapter 5.)

Supervisor Kennedy, seconded by Supervisor Gonzalez, moved amendment to add one member representing the San Francisco Labor Council and one member representing the San Francisco Building and Construction Trades Council, thereby increasing the membership from 15 to 17 members.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Kennedy, Shelley - 4.

Noes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden - 7.

Supervisor Gonzalez, seconded by Supervisor Shelley, moved to amend so that appointments are "subject to confirmation by the Board of Supervisors".

After a period of debate, there being no objection, Supervisor Gonzalez withdrew the motion to amend.

Supervisor Migden, seconded by Supervisor Britt, moved to amend page one, line 24, after "members" by inserting ", of which seven shall be appointed by the Board of Supervisors and eight"; amend page two, line 18, after "districts" by inserting ", of which four shall be appointed by the Board of Supervisors"; amend page two, line 20, after "employees" by inserting ", of which one shall be appointed by the Board of Supervisors"; amend page two, line 22, after "employees" by inserting ", of which one shall be appointed by the Board of Supervisors"; and page two, line 24, after "community" by inserting ", of which one shall be appointed by the Board of Supervisors".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley - 7

Noes: Supervisors Conroy, Hsieh, Kennedy, Maher - 4.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley - 7.

Noes: Supervisors Conroy, Hsieh, Kennedy, Maher - 4.

NEW BUSINESS

Recommendations of Finance Committee

Adopted

[Emergency Repair]
Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace the failing sewer in Stockton Street between Broadway and Pacific Avenue - $107,034. (Department of Public Works)

File 28-92-9, Resolution No. 632-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Authorization to Expend Private Funds]
Resolution authorizing Department of Public Works to accept $5,176 monetary compensation from property owners for the higher cost of procuring and installing special ornamental street light poles in Upper Ashbury Undergrounding District 309, Phase 2C. (Supervisor Hallinan)

File 52-92-4, Resolution No. 636-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

[Extending Duration and Increasing Contract Cost]
Resolution approving Contract Modification No. 2 to Water Department Contract WD-2088, repaving of street and sidewalk openings for the Water Department for the fiscal year ending June 30, 1992. (Public Utilities Commission)

File 61-92-6, Resolution No. 637-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

[Grant - State Funds]
Resolution authorizing the Public Utilities Commission to apply for, accept and expend $28,814,387 from 1991-92 State Proposition 116 Clean Air and Transportation Improvement Act funds and $3,884,743 from local match funds to provide financing including $1,904,354 of estimated indirect costs for nine Municipal Railway capital projects; placing $17,152,101 on reserve. (Public Utilities Commission)

File 94-92-3, Resolution No. 639-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

[Grant - Regional Funds]
Resolution authorizing the Public Utilities Commission to apply for and accept $3.1 million of Bridge Toll Funds for SFMRIC lease payments and $51.6 million of regional funds such as Federal Transit Administration Sections 8 and 9 Operating Revenues, Transportation Development Act (TDA), State Transit Assistance (STA), AB 1107 half-cent sales tax, and Bay Area Rapid Transit District funds for 1992-93 Municipal Railway operations and authorizing the expenditure of the Section 8 Planning funds. (Public Utilities Commission)

File 94-92-4, Resolution No. 640-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

[Grant - State Funds]
Resolution authorizing the Public Utilities Commission to apply for, accept and expend $1,704,000 including an estimated $81,792 of indirect costs from 1992-93 State Traffic System Management funds for the Municipal Railway or to apply for, accept and expend available Federal Petroleum Violation Escrow Account funds to support signal system pre-emption and other energy efficient transportation improvements; placing $1,312,080 on reserve. (Public Utilities Commission)

File 94-92-5, Resolution No. 641-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Bureau of Toxics, Health and Safety Services, to accept and expend, retroactive to June 1, 1992, a grant of $49,950, which includes indirect costs of $3,800 based on twenty percent of Department of Public Health salaries from the California Department of Fish and Game for the development of the San Francisco Oil Spill Prevention and Response Plan. (Department of Public Health)

File 146-92-21.1, Resolution No. 642-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a supplemental allocation of $150,000 from the California Department of Health Services to continue funding the AIDS Drug Program; providing for ratification of action previously taken; waiving indirect costs. (Department of Public Health)

File 146-92-50, Resolution No. 645-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

Recommendation of Finance and City Services Committees

Passed for Second Reading

[Fees]
Ordinance amending Building Code, to impose fees for administering the unreinforced masonry building retrofit program. (Supervisor Achtenberg)

File 114-92-6, Ordinance No.

(Adds Section 333.5.)

(July 7, 1992 - Fiscal Impact. Transferred from City Services Committee.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

Recommendation of Administration and Oversight Committee

Consideration Continued

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of City and County against Robert C. Pritikin for $100,000, $95,120 to be paid to the General Fund and building permit penalities of $4,880 to be paid directly to the Bureau of Building Inspection. (City Attorney)

File 46-92-5, Ordinance No.

(Superior Court No. 937-333.)

Supervisor Alioto, seconded by Supervisor Migden, moved to continue consideration to August 10, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

COMMITTEE REPORTS

Recommendation of Finance Committee

Passed for Second Reading

[Suspending five percent of Parking Tax Surcharge]
Ordinance amending Part III of the Municipal Code by adding Section 602.5-2, which suspends five percent of the Parking Tax Surcharge, effective January 1, 1993 or after, the suspension going into effect only upon the approval of a supplemental appropriation that increases the general fund contributed revenue reserves in fiscal year 1992-93 to $12,808,163 as certified by the Controller. (Supervisor Gonzalez)

File 127-92-6, Ordinance No.

Supervisor Gonzalez presented as recommendation of committee.

Supervisor Maher, seconded by Supervisor Hsieh, moved to amend to change the amount of the general fund contributed revenue reserves from "12,808,163" to "8,400,000".

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hsieh, Kennedy, Maher - 5.

Noes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Migden, Shelley - 6.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Noes: Supervisors Britt, Hsieh - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;
Charles Doe.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Conroy requested that the following measures be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Joint Economic and Social Policy/City Services Committee

[Youth Employment Program]
Resolution urging the Mayor to establish a Youth Employment Program that would coordinate year round youth employment services in the City of San Francisco and requesting that the Board of Supervisors receive on July 1, 1993, a report describing and evaluating the success of the City in establishing, funding and maintaining a Youth Employment Program during fiscal year 1992-93. (Supervisors Kennedy, Gonzalez)

File 250-92-1, Resolution No.

At the request of Supervisor Conroy, referred to Joint Economic and Social Policy/City Services Committee.

[Youth Employment Program]
Resolution urging the Mayor to urge the Public Utilities Commission to provide $500,000 for the funding of year round employment opportunities for African-American youth, Hispanic youth, and youth from the disadvantaged neighborhoods of the Mission, Western Addition and the Bayview-Hunters Point; urging the Redevelopment Agency to provide $1,000,000 for the funding of year round employment opportunities for African-American youth, Hispanic youth, and youth from the disadvantaged neighborhoods of the Mission, Western Addition and the Bayview-Hunters Point; urging the Mayor to urge the Airports Commission and the Port Commission to commit $1,000,000 each per year for the next five years to insure the continuing operation of a year round Youth Employment Program; and urging the Housing Authority to redirect any and all funds that may be allocated for youth services to assist the City's Youth Employment Program. (Supervisors Gonzalez, Kennedy)

File 250-92-2, Resolution No.

At the request of Supervisor Conroy, referred to Joint Economic and Social Policy/City Services Committee.

The Board resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference

Adopted

[Jobs]
Resolution urging San Francisco's Congressional Delegation to oppose agreements or administrative actions that would undermine jobs, health and safety in the United States. (Supervisor Shelley)

File 13-92-13, Resolution No. 629-92

(July 13, 1992 - Introduced in Board for consideration July 20, 1992.)

Adopted.

[Youth Employment Program, Federal Funding]
Resolution memorializing Congresswoman Nancy Pelosi to seek on behalf of the City and County of San Francisco federal funding to guarantee the continuation and success of the City's Youth Employment Program. (Supervisors Kennedy, Gonzalez)

File 13-92-12, Resolution No. 628-92

(July 13, 1992 - Introduced in Board for consideration July 20, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-29, Resolution No. 622-92

(Willie B. Kennedy, member, Board of Supervisors, July 30 - August 9; Mary I. Callanan, Treasurer, July 24 - August 4; Michael P. Huerta, Executive Director, Port, July 27 - 30; Douglas F. Wong, President, Port Commission, July 11 - 20, 1992.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[San Francisco Unity Day]
Resolution declaring July 23, 1992 "San Francisco Day of Unity: Improving Race Relations".

File 4-92-13, Resolution No. 623-92

Supervisor Shelley presented for immediate adoption.

Adopted.

[Commendation]
Resolution honoring Muwekma Ohlone Tribe.

File 6-92-13, Resolution No. 624-92

Supervisors Gonzalez, Kennedy, Alioto presented for immediate adoption.

Adopted.

[State Legislation]
Resolution opposing Senate Bill 1757 which increases the showing necessary for public agencies to take by eminent domain privately owned property which is used for providing public utilities.

File 12-92-34, Resolution No. 625-92

Supervisor Migden presented for immediate adoption.

Adopted.

[State Legislation]
Resolution supporting AB 3087, relating to the improvement of children's health and safety and a new funding mechanism for child care licensing activities and children's services.

File 12-92-35, Resolution No. 626-92

Supervisor Achtenberg presented for immediate adoption.

Adopted.

[Ballpark Advisory Committee Report]
Resolution amending Resolution No. 336-91, which created a Ballpark Advisory Committee to solicit and review proposals for the purpose of retaining the San Francisco Giants Baseball Team in San Francisco, by extending to September 30, 1992, the time by which the committee shall report its findings to the Board of Supervisors.

File 174-92-1.2, Resolution No. 627-92

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Affordable Housing]
Resolution commending the Council of Community Housing Organizations (CCHO) for its successful efforts to provide permanently affordable housing opportunities for all San Franciscans. (Supervisor Shelley presented.) Referred to Board July 27, 1992 For Adoption Without Committee Reference Calendar.

File 6-92-14

[Permit]
Resolution granting revocable permission to Catellus Development Corporation to construct a golf driving range and other related improvements in Owens Street and Sixth Street in the "Mission Bay" project area and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Maher presented.) Referred to Board July 27, 1992 For Adoption Without Committee Reference Calendar.

File 10-92-2

[California Arts Council]
Resolution urging the California State Delegation to oppose further cuts in the budget of the California Arts Council. (Supervisor Shelley presented.) Referred to Board July 27, 1992 For Adoption Without Committee Reference Calendar.

File 12-92-25.2

[Central California Regional Studies Program]
Resolution authorizing application and acceptance of an extension to the Coastal County Offshore Energy Assistance Program Block Grant to December 31, 1992, retroactive to April 1, 1992, in order to allow for San Francisco's continuing involvement in the regional studies program and its efforts towards completing the work program for the lease/sale participation and review program element. (Supervisor Alioto presented.) Referred to Board July 27, 1992 For Adoption Without Committee Reference Calendar.

File 134-92-1

Charter Amendment

Referred to Committee

[Ballot Measure]
Draft charter amendment (First Draft) amending Section 3.674 relating to the funding of the retirement system. (Supervisor Conroy presented.) Referred to Administration and Oversight Committee with request it be considered at a special meeting on July 27, 1992.

File 251-92-1

Requests for Hearings

File 7-92-4, By Supervisor Kennedy: To consider proposal to install two side tracks, known as pocket tracks; to merge the M and J lines and to change the Number 26 bus line. Referred to Economic and Social Policy Committee.

File 60-92-6, By Supervisor Hallinan: To consider the Registrar of Voters options for designing the ballot card to accommodate an extra long ballot. Referred to Administration and Oversight Committee with request it be considered at the July 28, 1992 meeting.

File 109-92-1, By Supervisor Kennedy: To consider the reorganization plan of the San Francisco Residential Rent Stabilization and Arbitration Board and its impact on services to low income and low rent tenants. Referred to Economic and Social Policy Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 27-92-5. [Airport - Lease Modification] Approving Modification No. 1 of lease agreement between City College of San Francisco and City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Finance

File 45-92-42. [CCP Section 998 Offer of Settlement of Lawsuit] Authorizing Code of Civil Procedure Section 998 offer of settlement of litigation of Brian Bringardner against the City and County of San Francisco, et al. by payment of $88,000. (City Attorney) Administration and Oversight

File 45-92-43. [Settlement of Lawsuit] Authorizing settlement of litigation of Stephen H. Soo against the City and County of San Francisco by payment of $6,500. (City Attorney) Administration and Oversight

File 45-92-44. [Settlement of Lawsuit] Authorizing settlement of litigation of Deborah and James De'Angelis against the City and County of San Francisco by payment of $17,500. (City Attorney) Administration and Oversight

File 46-92-13. [Settlement of Lawsuit] Authorizing settlement of litigation of City and County of San Francisco v. Loretta R. Varni Administratrix of the Estate of Dolores Wooldridge deceased and consolidated action Loretta R. Varni individually, and as Administratrix v CCSF, et al. by accepting consideration in the total amount of $100,000 payable in cash and in the form of a stipulated judgment against the Estate of Dolores Wooldridge; and by accepting an indemnity agreement from the Administratrix of the Estate of Dolores Wooldridge. (Tax Collector) Administration and Oversight

File 46-92-14. [Settlement of Lawsuit] Authorizing settlement of Stephen C. Flahaven v. Richard A. La Cava, et al., and related actions, upon receipt of the sum of $7,500 less one-half costs and dismissal of complaint. (City Attorney) Administration and Oversight

File 46-92-15. [Settlement of Lawsuit] Authorizing settlement of City and County of San Francisco, v. John Lloyd Hipp, et al., upon receipt of the sum of $7,500 and dismissal of complaint. (City Attorney) Administration and Oversight

File 47-92-5. [Garage Lease Documents] Approving and adopting Polk-Bush Garage legal documents and authorization for management agreement. (Real Estate Department) Finance

File 97-92-42. [Emergency Medical Services Fund] Amending Administrative Code, by amending Section 10.117-73, to require that the Emergency Medical Services Fund be continued using penalty revenues pursuant to Government Code Sections 76000 and 76104, to require that the moneys in such fund be payable only for the purposes specified in Government Code Section 76104, and to make changes pursuant to recent amendments to Health and Safety Code Sections 1797.98a through 1797.98g. (Municipal Court) Finance

File 97-92-43. [Automated Fingerprint Identification Fund] Amending Administrative Code, by amending Section 10.117-108, to establish the Automated Fingerprint Identification Fund pursuant to Government Code Section 76102, to require that the moneys in such fund be payable only for the purposes set forth in Government Code Section 76102, and to renumber Charter Section 6.311 to 6.306; companion measure to File Nos. 97-92-42, 97-92-43.1 and 97-92-44.1. (Municipal Court) Finance

File 97-92-44. [Courthouse Construction Fund] Amending Administrative Code, by amending Section 10.117-35, to rename the "Courthouse Temporary Construction Fund", the "Courthouse Construction Fund", to require that surcharge on filing fees in the Municipal and Superior Courts and penalty assessments provided in Government Code Section 76000 be deposited in such fund, and to

require that the moneys deposited in such fund be used only for the purposes set forth in Government Code Sections 76000, 76100 and 76238; companion measure to File 97-92-44.1. (Municipal Court) Finance

File 101-92-5. [Government Funding] Appropriating $9,916, Department of Public Works, for capital improvement project (Hall of Justice Parking Lot Expansion) and certifying $9,916 from capital improvement project (Hall of Justice Parking Lot Expansion), to cover overage above ten percent of contracted amount pursuant to provisions of Charter Section 7.203; providing for ratification of action previously taken. (Controller) Finance

File 164-92-2.1. [Street Vacation] Ordering vacation of a portion of Keith Street located between Newcomb and LaSalle Avenues, and authorizing conveyance thereof to the owner of the abutting property (San Francisco Redevelopment Agency); and finding such actions are in conformity with the Master Plan; companion measure to File 164-92-2. (Real Estate Department) Economic and Social Policy

Resolutions Referred to Committee

File 48-92-18. [Settlement of Claim] Approving the settlement of the unlitigated claim of Jose Alarcon by payment of $15,000. (City Attorney) Administration and Oversight

File 53-92-3. [Islais Creek Transport Storage & Project Modifications] Adopting Final Negative Declaration, finding and determining that the proposed construction of the Islais Creek Transport/Storage Project Modifications will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 53-92-3.1. (Department of Public Works) City Services

File 53-92-3.1. [Islais Creek Transport Storage and Project Modifications] Approving construction of the Department of Public Works for the construction of the Islais Creek Transport and Storage Project Modifications; companion measure to File 53-92-3. (Department of Public Works) City Services

File 89-92-11. [State Disability Insurance] Authorizing enrollment of Classification 1275 Manager, Bureau of Personnel and Training (PUC) in the State Disability Insurance Program. (Office of the Mayor's Employee Relations Division) Administration and Oversight

File 89-92-12. [State Disability Insurance] Authorizing enrollment of Classifications 0583 Assistant Clerk of Superior Court, 1126 Public Administrator, 1131 Assistant Public Administrator, Public Guardian and 1807 Management Informations Systems Tech. II in the State Disability Insurance Program. (Office of the Mayor's Employee Relations Division) Administration and Oversight

File 97-92-43.1. [Disbursement of the additional penalties] Providing for the disbursement of the additional penalties assessed in criminal cases pursuant to Government Code Section 76000, establishing a Courthouse Construction Fund pursuant to Government Code Section 76100, establishing an Automated Fingerprint Identification Fund pursuant to Government Code Section 76102, continuing an Emergency Medical Services Fund pursuant to Government Code Section 76104, and imposing an additional penalty on all parking offenses to support the Courthouse Construction Fund pursuant to Government Code Section 76000; companion measure to File Nos. 97-92-42, 97-92-43 and 97-92-44. (Municipal Court) Finance

File 97-92-44.1. [Courthouse Construction Fund] Renaming the Courthouse Construction Fund and continuing the surcharge on filing fees in civil and probate actions in the Superior Court and in civil actions in the Municipal Court as provided in Government Code Section 76238 and Section 10.117-35 of the San Francisco Administrative Code, to assist in the acquisition, rehabilitation, construction and financing of courtrooms or of a courtroom building or buildings containing facilities necessary or incidental to the operation of the justice system in the City and County of San Francisco; companion measure to File 97-92-44. (Municipal Court) Finance

File 138-92-5. [Grant - Federal Grant] Authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend grant funds in the amount of $87,443 made available through the California Office of Criminal Justice Planning for a project entitled "Gang Violence Suppression Program" for the twelve month period July 1, 1992 through June 30, 1993 and agreeing to provide cash match in the amount of $9,716. (District Attorney) Finance

File 143-92-3. [Grant - State Funds] Authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of $121,271 made available through the Office of Criminal Justice Planning for a project entitled "Gang Suppression, Apprehension and Prevention"; and agreeing to provide cash match in the amount of $12,127. (Police Department) Finance

File 146-92-52. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of $2,500,000, which includes indirect costs based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding AIDS Surveillance Project. (Department of Public Health) Finance

File 152-92-1.1. [Grant - State Funds] Authorizing the Sheriff's Department of the City and County of San Francisco to accept and expend $166,622 in funds from the State of California Board of Corrections for the Standards and Training of Local Corrections Programs; stipulating adherence to standards for recruitment and training established by the Board of Corrections, waiving any indirect costs; companion measure to File 152-92-1. (Sheriff) Finance

File 164-92-2. [Street Vacation] Declaring intention of Board of Supervisors to vacate a portion of Keith Street located between Newcomb and LaSalle Avenues; and setting the hearing for all persons interested in the proposed vacation; companion measure to File 164-92-2.1. (Real Estate Department) Economic and Social Policy

File 170-92-9. [Sewer Revenue Refunding Bonds] Amending and restating Resolution No. 542-88, adopted July 17, 1988, Resolution No. 677-88, adopted August 29, 1988 and Resolution No. 605-91, adopted July 15, 1991, providing for the issuance of not to exceed $385,000,000 aggregate principal amount of City and County of San Francisco Sewer Revenue Refunding Bonds, Series 1992, curing certain ambiguous provisions, adding to the covenants of the City and appointing escrow agents; companion measure to File 170-92-9.1. (City Attorney) Finance

File 170-92-9.1. [Sewer Revenue Refunding Bonds] Authorizing and directing the sale of not to exceed $385,000,000 principal amount of City and County of San Francisco Sewer Revenue Refunding Bonds, Series 1992, authorizing the publication of official notice of sale relating thereto; authorizing official actions; and appointing fiscal agent; companion measure to File 170-92-9. (City Attorney) Finance

File 186-92-2. [Polk/McAllister City Office Building] Authorizing Chief Administrative Officer to negotiate for development of new city office building and to accept and expend donation of funds to offset city costs incurred through negotiations. (Chief Administrative Officer) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that Budget Analyst prepare report comparing the difference in money between the previous method of use of contracted consultants versus the use of hearing officers.

By Supervisor Kennedy, that City Attorney prepare resolution urging the Mayor to add a community representative to the Private Industry Council to be appointed by the Mayor and requesting that the Coalition on Homelessness be the entity that recommends the community representative to the Mayor.

By Supervisor Shelley, that City Attorney prepare ordinance which would restrict the length of time that car alarms may sound when activated and restrict the sale of car alarms that are activated by motion detection.

By Supervisors Britt and Migden, that City Attorney investigate allegations that US Air refused to transport HIV blood samples for use in AIDS research and whether or not this policy violates existing non-discrimination laws.

By Supervisors Britt and Migden, that letter be sent to US Air to express the Board's disappointment concerning allegations that US Air refused to transport HIV blood samples for use in AIDS research; in which their action may promote misunderstanding as to the safety of transporting this type of blood samples.

By Supervisor Britt, that letter of inquiry be sent to all City departments, agencies, boards and commissions to determine whether each addressee has complied with Board of Supervisors Resolution No. 291-92 to reduce its budget line items for purchase of paper and office supplies for fiscal year 1992-93 by at least ten percent below current fiscal year expenditure levels and requesting written response by August 3, 1992.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Ethel Nance (Supervisor Kennedy)

File 2-92-29

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 7:12 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 22, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 87 No. 30

Monday, July 27, 1992

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 27, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:25 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Noted absent at first roll call:

Supervisors Alioto, Britt, Maher - 3.

Quorum present.

Supervisor Alioto was noted present at 2:35 p.m.

Supervisor Britt was noted present at 2:30 p.m.

Supervisor Maher was noted present at 2:36 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Kennedy, moved that the Journals of Proceedings for Tuesday, October 15 and Monday, October 21, 1991, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Alioto, Britt, Maher - 3.

CONSENT CALENDAR

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $135,778, Department of Public Works, for various purposes (code enforcement and rehabilitation fund loans and data processing equipment.) (Controller)

File 101-92-4, Ordinance No.

Passed for second reading.

The foregoing item on the Consent Calendar was adopted by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Alioto, Britt, Maher - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Annual Appropriation Ordinance for Fiscal Year 1992-93. (Mayor)

An ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1993.

File 101-92-2, Ordinance No. 249-92

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

[Annual Salary Ordinance]
Annual Salary Ordinance for Fiscal Year 1992-93. (Civil Service Commission)

An ordinance enumerating all positions continued or created by the Board of Supervisors in adopting the annual budget and appropriation ordinance for fiscal year ending June 30, 1993.

File 102-92-2, Ordinance No. 250-92

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Passed for Second Reading As Amended

[Suspending five percent of Parking Tax Surcharge]
Ordinance amending Part III of the Municipal Code by adding Section 602.5-2, which suspends five percent of the Parking Tax Surcharge, effective January 1, 1993 or after, the suspension going into effect only upon the approval of a supplemental appropriation that increases the general fund contributed revenue reserves in fiscal year 1992-93 to (($12,808,163)) $10,000,000 as certified by the Controller. (Supervisor Gonzalez)

File 127-92-6, Ordinance No.

Supervisor Maher, seconded by Supervisor Gonzalez, moved to amend by replacing $12,808,163" with "$10,000,000" wherever it appears in the legislation.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hsieh, Kennedy, Maher, Shelley - 7.

Noes: Supervisors Achtenberg, Britt, Hallinan, Migden - 4.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Noes: Supervisors Britt, Migden - 2.

Absent: Supervisor Achtenberg - 1.

Adopted as Amended

[Redevelopment Agency Budget and Bonds]
Resolution approving the budget of the Redevelopment Agency for fiscal year 1992-1993; approving and authorizing an amendment to the

indebtedness limitation agreement between the Redevelopment Agency and the City and County; approving the issuance by the Agency of bonds in an aggregate principal amount not to exceed $65,000,000 for the purpose of financing redevelopment activities in fiscal year 1992-1993; and the Agency shall present to the Board, by September 1, 1992, its fiscal year budget for reconsideration in light of the adoption of the State budget. (Supervisor Gonzalez)

File 161-92-4, Resolution No.

(July 20, 1992 - Referred to Committee with direction to report back to the Board on July 27, 1992.)

Supervisor Maher, seconded by Supervisor Hsieh, moved to amend title, line 9, after "1992-1993" by inserting "; and the Agency shall present to the Board, by September 1, 1992, its fiscal year budget for reconsideration in light of the adoption of the State budget" and amend page two, line 17 by adding "FURTHER RESOLVED, That the Redevelopment Agency has agreed, as a condition of this approval, to present the Agency's 1992-1993 fiscal year budget to the Board of Supervisors, by September 1, 1992, for reconsideration in light of the fiscal impacts to the Agency and the City and County that may result from the final adoption of the fiscal year 1992-1993 budget for the State of California."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Noes: Supervisor Maher - 1.

Absent: Supervisors Achtenberg, Gonzalez - 2.

Supervisor Gonzalez Excused

President Pro Tempore Kennedy announced she had excused Supervisor Gonzalez from the remainder of the meeting.

Recommendation of Finance and City Services Committees

Finally Passed

[Fees]

Ordinance amending Building Code, to impose fees for administering the unreinforced masonry building retrofit program. (Supervisor Achtenberg)

File 114-92-6, Ordinance No. 248-92

(Adds Section 333.5.)

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

The President reassumed the Chair.

Recommendation of City Services Committee

Finally Passed

(See Journal of Proceedings of August 10, 1992 for disapproval by the Mayor.)

[Business Advisory Commission]
Ordinance repealing existing provisions of Administrative Code, abolishing the Bureau of Small Business and Small Business Advisory Commission, and establishing a Business Advisory Commission within the Mayor's Office of Economic Planning and Development. (Supervisor Achtenberg)

File 97-92-19, Ordinance No.

(Repeals and adds Article III, Chapter 5.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Kennedy, Migden, Shelley - 6.

Noes: Supervisors Conroy, Hsieh, Maher - 3.

Absent: Supervisors Achtenberg, Gonzalez - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $6,100,000, Department of Public Works, for various capital improvement projects; placing $5,259,420 on reserve. (Controller)

File 101-92-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

[Permit and Inspection Fees]
Ordinance amending Public Works Code, to change the amounts of various permit fees (to distribute free merchandise or free sample goods, for construction repair or replacement of sidewalk inspection fee and registration or permit conditions and inspection fees). (Department of Public Works)

File 123-92-2, Ordinance No.

(Amends Sections 184.52, 708.2 and 725.3.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

Adopted

[Contract Award Extension]
Resolution approving award of Municipal Railway Contract No. MR-1034R for procurement and installation of the Advanced Train Control System (ATCS); approving a further 60-day extension from July 7, 1992, within which to award the contract. (Public Utilities Commission)

File 61-92-1.2, Resolution No. 647-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

Recommendation of City Services Committee

Passed for Second Reading

[Affirmative Action Plans]
Ordinance amending Administrative Code, pertaining to affirmative action plans, by requiring that City departments, boards and commissions work with the Commission on the Status of Women, in addition to the Civil Service and Human Rights Commissions, to prepare and implement such plans. (Supervisor Achtenberg)

File 97-92-41, Ordinance No.

(Amends Section 16.9-24.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

Consideration Continued

[Wild and Dangerous Hybrids]
Ordinance amending Health Code, to prohibit advertisement for sale of any wild and potentially dangerous animal, amending the definition thereof to include wolf dogs, coydogs, other coyote-dog hybrids and other hybrids of wild with domestic animals and defining a prima facie violation thereof and by granting the Department of Animal Care and Control discretion to immediately dispose of any wild and potentially dangerous animal seized. (Supervisor Migden)

File 118-92-5, Ordinance No.

(Amends Sections 49 and 51;
Adds Section 51.1.)

Supervisor Migden, seconded by Supervisor Conroy, moved to continue consideration to August 17, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

Rereferred to City Services Committee

[Animal Sacrifice]
Ordinance amending Health Code, to prohibit any person, firm or corporation from sacrificing any animal or possessing or selling any animal for sacrifice. (Supervisor Migden)

File 118-92-6, Ordinance No.

(Adds Article 1A.)

Supervisor Migden, seconded by Supervisor Maher, moved to rerefer to City Services Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

Passed for Second Reading

[Riding of Horses]
Ordinance amending Police Code, to authorize Deputy Animal Control Officers of the Department of Animal Care and Control to also enforce the regulations concerning riding of horses in public places. (Supervisor Migden)

File 121-92-7, Ordinance No.

(Amends Section 490.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

COMMITTEE REPORTS

Recommendation of Administration and Oversight Committee

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of this proposed Charter amendment appropriately may be continued at least one week.)

Consideration Continued

[Ballot Measure]
Charter amendment (First Draft) amending Section 8.409-1 relating to collective bargaining for miscellaneous employees as described in Section 8.401 of the Charter.

File 229-91-4

Supervisor Hallinan presented as recommendation of Administration and Oversight Committee.

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to continue consideration to August 3, 1992.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

The President reassumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Charles Appleton;
Dehnert Queen;
Laurie Irving.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Affordable Housing]
Resolution commending the Council of Community Housing Organizations (CCHO) for its successful efforts to provide permanently affordable housing opportunities for all San Franciscans. (Supervisor Shelley)

File 6-92-14, Resolution No. 653-92

(July 20, 1992 - Introduced in Board for consideration July 27, 1992.)

Adopted.

[Permit]
Resolution granting revocable permission to Catellus Development Corporation to construct a golf driving range and other related improvements in Owens Street and Sixth Street in the "Mission Bay" project area and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Maher)

File 10-92-2, Resolution No. 651-92

(July 20, 1992 - Introduced in Board for consideration July 27, 1992.)

Adopted.

[California Arts Council]
Resolution urging the California State Delegation to oppose further cuts in the budget of the California Arts Council. (Supervisors Shelley, Hallinan, Migden)

File 12-92-25.2, Resolution No. 654-92

(July 20, 1992 - Introduced in Board for consideration July 27, 1992.)

Adopted.

[Central California Regional Studies Program]
Resolution authorizing application and acceptance of an extension to the Coastal County Offshore Energy Assistance Program Block Grant to December 31, 1992, retroactive to April 1, 1992, in order to allow for San Francisco's continuing involvement in the regional studies program and its efforts towards completing the work program for the lease/sale participation and review program element. (Supervisor Alioto)

File 134-92-1, Resolution No. 655-92

(July 20, 1992 - Introduced in Board for consideration July 27, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Gonzalez, Hallinan - 3.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-30, Resolution No. 648-92

(Tom Ammiano, member, Board of Education, June 11 - 14 and 19 - 21; Raymond Baxter, Director of Health, August 1 - 9; Kenneth E. Dowlin, City Librarian, August 6 - 11; Anne Halsted, member, Port Commission, July 19 - 25; Bob Hillmann, member, Film and Video Arts Commission, July 9 - 16; David Ishida, Acting Director, Commission on the Aging, July 17 - 22; Stanley Mattison, Vice President, Airports Commission, July 22 - 24; Harry S. Parker, III, Director, Fine Arts Museums, August 3 - 10; Fred A. Rodriguez, member, Board of Education, June 20 - 28; L.A. Turpen, Director of Airports, July 25 - August 9 and August 14 - 24; Douglas F. Wong, President, Port Commission, July 11 - 20, 1992.)

Adopted.

[Election]
Motion ordering the consolidation of the General Municipal Election, the Special Bond Election and the Bay Area Rapid Transit District Election to be held in the City and County of San Francisco on November 3, 1992 with the Statewide General Election to be held on the same date. (Clerk of the Board)

File 60-92-7

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Bus Re-routing Off North Point Street]

Resolution urging the Golden Gate Bridge, Highway and Transit District to re-route their eastbound morning 6 A.M. to 9 A.M. commute buses from North Point Street to Polk Street and Beach Street for a six month trial period and requesting the Department of Parking and Traffic to prepare a report on the outcome of the trial.

File 55-92-2, Resolution No. 649-92

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Retirement System]
Resolution urging the Mayor to urge the Retirement System to reduce the City's contribution to the Retirement System Fund for fiscal year 1992-1993 to compensate for past overpayments and to adjust contribution rates.

File 210-92-1, Resolution No. 650-92

Supervisor Conroy presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Gonzalez, Hallinan - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[City Resources to Enforce Immigration Laws]
Ordinance amending Administrative Code Chapter 12H, which prohibits use of City and County resources to assist in enforcement of Federal immigration laws, by adding Section 12H.2-1 to clarify that Chapter 12H does not apply to individuals who have been convicted of certain criminal violations. (Supervisor Gonzalez presented.) Referred to Economic and Social Policy Committee.

File 97-92-46

Referred to Board

[State Court Resource Conservation]
Resolution endorsing the petition of the Sierra Club Legal Defense Fund which calls upon the State Courts to require the use of recycled paper, adopt a policy requiring double-sided copying of non-original documents and use unbleached paper. (Supervisors Britt and Shelley presented.) Referred to Board August 3, 1992 For Adoption Without Committee Reference Calendar.

File 12-92-36

[Waivers for HIV-Infected Cuban AIDS Experts]
Resolution urging the Department of Justice and Department of State to grant waivers from their policy of exclusion to the United States of HIV-infected individuals and Cuban government and party officials to allow Dr. Jorge Perez Avila, Dr. Juan Carlos De La Concepcion Raxach and Mr. Raul Llanos Torres to travel from Cuba and speak at a series of AIDS conferences in the San Francisco Bay Area in the Fall of 1992 and to communicate this resolution to the appropriate parties. (Supervisor Hallinan presented.) Referred to Board August 3, 1992 For Adoption Without Committee Reference Calendar.

File 13-92-14

Referred to Committee

[Street Name Change]
Resolution urging the Department of Public Works to initiate the process of renaming Hamlin Place to Lawrence Ferlinghetti Lane to honor his continuing contribution to the cultural fabric of San Francisco through his literary sanctuary, City Lights Bookstore. (Supervisor Alioto presented.) Referred to City Services Committee.

File 75-92-3

Requests for Hearings:

File 60-92-8, By Supervisor Hallinan: To consider submitting ballot measure which would make it City policy that City officers and full-time employees commute to and from work at least twice weekly on one of the regional public transit systems. Referred to Administration and Oversight Committee with request it be considered at a special meeting on August 3, 1992.

File 97-92-47, By Supervisor Kennedy: To consider amending the Administrative Code Section 10.213, E.4. (a) thru (d) to require all City contracts with companies who do not sign the declaration compliance with the South Africa divestiture ordinance be reviewed and approved by the Board of Supervisors. Referred to Economic and Social Policy Committee.

File 104-92-1, By Supervisor Hallinan: To consider salary standardization for Municipal Railway Transit Workers. (Supervisor Hallinan presented.) Referred to Administration and Oversight

Committee with request it be considered at the August 11, 1992 meeting.

File 270-92-4, By Supervisor Alioto: To consider the City's earthquake preparedness measures. Referred to City Services Committee.

Motions

Referred to Committee

[Select Committee]
Motion establishing a Select Committee of the Board of Supervisors on the impact on City services by the closures of Hunters Point Naval Shipyard and the Presidio Army Base. (Supervisor Shelley presented.) Referred to Administration and Oversight Committee.

File 54-92-3

Introduced by the President at the Request of Departments

Ordinance Referred to Committee

File 102-92-4. [Public Employment] Amending Annual Salary Ordinance, 1992-93, Office of the Public Administrator/Guardian, reflecting the addition of four positions (Classifications 1446 Secretary II (1) 4230 Estate Investigator (2) and 4231 Senior Estate Investigator (1). (Civil Service Commission) Finance

Resolutions Referred to Committee

File 25-92-25. [Prop J Contract] Concurring with Controller's certification that services of the Court Management System Coordinator can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Municipal Court) Finance

File 31-92-3. [Employee Replacement] Approving immediate filling of vacated position of one Classification 0140 Chief, Fire Department. (Fire Commission) Finance

File 31-92-4. [Employee Replacement] Approving immediate filling of vacated position of one Classification 0150 Deputy Chief, Fire Department. (Fire Commission) Finance

File 33-92-2. [Port Commission - Appointments] Confirming the Mayor's appointments of Frank J. O'Neill and Ming Chang to the San Francisco Port Commission. (Mayor) Administration and Oversight

File 33-92-3. [Redevelopment Agency - Appointments] Confirming the Mayor's appointments of Ben Hom, Cynthia Choy Ong and Clarence R.

Stern to the San Francisco Redevelopment Agency Commission. (Mayor) Administration and Oversight

File 68-92-4.1. [Home Program] Approving procedures for allocating Home Program Funds, and authorizing the Mayor of the City and County of San Francisco to encumber and authorize release of a grant of Home Program Funds from the U.S. Department of Housing and Urban Development for a total amount not to exceed Eight Million, Two Hundred Six Thousand Dollars ($8,206,000). Direct and indirect costs associated with the acceptance of these grant funds will be paid by Community Development Block Grant Funds. (Office of Mayor Economic Planning and Development) Finance

File 89-92-13. [State Disability Insurance] Authorizing enrollment of Classification 9373 Manager of Marketing in the State Disability Insurance Program. (Office of Mayor Employee Relations Division) Administration and Oversight

File 93-92-30. [Memorandum of Understanding] Ratifying Memorandum of Understanding with Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34. (Office of Mayor Employee Relations Division) Administration and Oversight

File 146-92-53. [Grant - Federal Funds] Authorizing the Department of Public Health, Central Administration, to apply for a grant of up to $420,000, which includes indirect costs in the amount of $38,000, based on ten percent of direct costs, from the Robert Wood Johnson Foundation, the Northern California Grantmakers, the Henry J. Kaiser Family Foundation, Pacific Gas and Electric Company, the Hearst Foundations, the Richard and Rhoda Goldman Fund, the San Francisco Foundation, the Gannett Communities Fund, the Pacific Telesis Foundation, the Ernst D. Van Loben Sels/Eleanor Slate Van Loben Sels Charitable Foundation, the Wells Fargo Contribution Program, the Cresent Porter Hale Foundation, the Clorox Company Foundation, the Walter and Elise Haas Fund, the McBean Family Foundation, the Montgomery Street Foundation, the Koret Foundation and the Bernard Osher Foundation for funding for the Health of the City proposal. (Department of Public Health) Finance

File 166-92-4. [Legal Authorization to Sue] Authorizing Tax Collector Attorney to institute proceedings for the recovery of value rendered at hospital facilities operated by the San Francisco Department of Public Health. (Tax Collector) Administration and Oversight

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter be sent to the Public Utilities Commission concerning use of water from fire hydrants in the Downtown Area to clean windows and outside areas of businesses, specifically those next to the Bank of America on Kearny Street and the Opera Plaza to determine whether this activity should be disallowed since water is a finite quantity.

By Supervisor Kennedy, that letters be sent to Director of Health and Director of Purchasing requesting a list of all its contracts with firms that have not signed the required South Africa divestment declaration during the past two years.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Agostino "Bimbo" Giuntoli (Supervisor Conroy)

File 2-92-30

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:20 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, July 27, 1992

Approved by the Board of Supervisors on March 1, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 87 No. 31

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Monday, August 3, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 3, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:13 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Shelley - 7.

Noted absent at first roll call:

Supervisors Conroy, Kennedy, Maher, Migden - 4.

Quorum present.

Supervisor Kennedy excused, on official leave of absence.

Supervisor Conroy was noted present at 2:15 p.m.

Supervisor Maher was noted present at 2:19 p.m.

Supervisor Migden excused from attendance. (See infra.)

Supervisor Migden Excused

The Clerk announced that Supervisor Migden requested she be excused from attending today's meeting.

Supervisor Achtenberg, seconded by Supervisor Hsieh, moved to excuse Supervisor Migden from attendance.

Motion to excuse Supervisor Migden from attendance adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Shelley - 8.

Absent: Supervisors Kennedy, Maher, Migden - 3.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Hallinan, moved that the Journal of Proceedings for Monday, October 28, 1991, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Shelley - 8.

Absent: Supervisors Kennedy, Maher, Migden - 3.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $6,100,000, Department of Public Works, for various capital improvement projects; placing $5,259,420 on reserve. (Controller)

File 101-92-3, Ordinance No. 252-92

Finally passed.

[Government Funding]
Ordinance appropriating $135,778, Department of Public Works, for various purposes (code enforcement and rehabilitation fund loans and data processing equipment.) (Controller)

File 101-92-4, Ordinance No. 253-92

Finally passed.

[Permit and Inspection Fees]
Ordinance amending Public Works Code, to change the amounts of various permit fees (to distribute free merchandise or free sample goods, for construction repair or replacement of sidewalk inspection fee and registration or permit conditions and inspection fees). (Department of Public Works)

File 123-92-2, Ordinance No. 255-92

(Amends Sections 184.52, 708.2 and 725.3.)

Finally passed.

Passed for Second Reading

[Airport - Lease Modification]
Ordinance approving Modification No. 1 of lease agreement between City College of San Francisco and City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission)

File 27-92-5, Ordinance No.

Passed for second reading.

Adopted

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of $2,500,000, which includes indirect costs based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding AIDS Surveillance Project. (Department of Public Health)

File 146-92-52, Resolution No. 680-92

Adopted.

[Grant - State Funds]
Resolution authorizing the execution of a grant contract with the California State Library for the award of a grant of Library Construction and Renovation Bond Act funds, which contract provides for the State to be indemnified and held harmless from all claims or damages which may arise in relation to the contract. (Public Library)

File 147-92-4, Resolution No. 658-92

Adopted.

[Grant - State Funds]
Resolution authorizing the Sheriff's Department to accept and expend $166,622 in funds from the State of California Board of Corrections for the Standards and Training of Local Corrections Programs; stipulating adherence to standards for recruitment and training established by the Board of Corrections, waiving any indirect costs; companion measure to File 152-92-1. (Sheriff)

File 152-92-1.1, Resolution No. 682-92

Adopted.

Recommendations of City Services Committee

Finally Passed

[Affirmative Action Plans]
Ordinance amending Administrative Code, pertaining to affirmative action plans, by requiring that City departments, boards and commissions work with the Commission on the Status of Women, in addition to the Civil Service and Human Rights Commissions, to prepare and implement such plans. (Supervisor Achtenberg)

File 97-92-41, Ordinance No. 251-92

(Amends Section 16.9-24.)

Finally passed.

[Riding of Horses]
Ordinance amending Police Code, to authorize Deputy Animal Control Officers of the Department of Animal Care and Control to also enforce the regulations concerning riding of horses in public places. (Supervisor Migden)

File 121-92-7, Ordinance No. 254-92

(Amends Section 490.)

Finally passed.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Hock Investment Co., Inc., v. City and County to permit the processing of an application for conversion of condominiums of 2090 Pacific. (City Attorney)

File 45-92-39, Ordinance No.

(Superior Court No. 812-225.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Myrna A. Ragotero, Rolly P. Chan against the City and County, et al. by payment of $8,000. (City Attorney)

File 45-92-40, Ordinance No.

(Municipal Court No. 066-803)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Paul Chan against Ali Feroz and the City and County, et al. by payment of $12,000. (City Attorney)

File 45-92-41, Ordinance No.

(Superior Court No. 934-426)

Passed for second reading.

[CCP Section 998 Offer of Settlement]
Ordinance authorizing Code of Civil Procedure Section 998 offer of settlement of litigation of Brian Bringardner against the City and County, et al by payment of $88,000. (City Attorney)

File 45-92-42, Ordinance No.

(Superior Court No. 920-290)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Stephan H. Soo against the City and County by payment of $6,500. (City Attorney)

File 45-92-43, Ordinance No.

(United States District Court No. C90-3699 FMS)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Deborah and James De'Angelis against the City and County by payment of $17,500. (City Attorney)

File 45-92-44, Ordinance No.

(Superior Court No. 914-116)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Stephen Jones v. Nandi D. Sundaram, et al., upon receipt of the sum of $7,500 and dismissal of complaint. (City Attorney)

File 46-92-11, Ordinance No.

(Municipal Court No. 927-043)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Mary Jean Stalion v. Barry Ross, Lorence Vogt, et al., upon receipt of the sum of $7,750 and dismissal of complaint. (City Attorney)

File 46-92-12, Ordinance No.

(Superior Court No. 934-430)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of City and County v. Loretta R. Varni Administratrix of the Estate of Dolores Wooldridge deceased and consolidated action Loretta R. Varni individually, and as Administratrix v. City and County of San Francisco, et al., by accepting consideration in the total amount of $100,000 payable in cash and in the form of a stipulated judgment against the Estate of Dolores Wooldridge; and by accepting an indemnity agreement from the Administratrix of the Estate of Dolores Wooldridge. (Tax Collector)

File 46-92-13, Ordinance No.

(Superior Court Nos. 918-696 and 903-033; Legal Division File BDR 9913.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Stephen C. Flahaven v. Richard A. La Cava, et al., and related actions, upon receipt of the sum of $7,500 less one-half costs and dismissal of complaint. (City Attorney)

File 46-92-14, Ordinance No.

(Municipal Court Consolidated Action No. 021-668.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of City and County v. John Lloyd Hipp, et al., upon receipt of the sum of $7,500 and dismissal of complaint. (City Attorney)

File 46-92-15, Ordinance No.

(Municipal Court No. 079-623.)

Passed for second reading.

Adopted

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Neva Olson by payment of $35,000. (City Attorney)

File 48-92-15, Resolution No. 670-92

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Flair Diversified Properties, Inc., by payment of $50,000. (City Attorney)

File 48-92-16, Resolution No. 671-92

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Merrill D. Mecham by payment of $10,000. (City Attorney)

File 48-92-17, Resolution No. 672-92

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Jose Alarcon by payment of $15,000. (City Attorney)

File 48-92-18, Resolution No. 673-92

Adopted.

Recommendations of Economic and Social Policy Committee

Adopted

[Stop Intersections]
Resolution designating certain intersections as "Stop" intersections. (Supervisor Migden)

File 18-92-9, Resolution No. 666-92

(Stop Signs - Establish
Grove and Lyon Streets, northeast and southwest corners, stopping Grove Street traffic (makes this an all-way Stop);

Grove and Central Streets, northeast and southwest corners, stopping Grove Street traffic (makes this an all-way Stop);

Adopted.

[Stop Intersections]
Resolution designating certain intersections as "Stop" intersections. (Department of Parking and Traffic)

File 18-92-10, Resolution No. 667-92

(Stop Signs - Establish
Rutland Street and Tucker Avenue, northeast and southwest corners, stopping Tucker Avenue traffic;

Rhine and Wilson Streets, northwest and southeast corners, stopping Rhine Street traffic;

Williams Avenue, Neptune Street and Newhall Street, northeast and southwest corners, stopping Williams Avenue traffic (makes this an all-way Stop);

Arguello Boulevard and Jackson Street, northwest and southeast corners, stopping Arguello Boulevard traffic (makes this an all-way Stop);

19th Avenue and Anza Street, northwest and southeast corners, stopping 19th Avenue traffic (makes this an all-way Stop);

Beverly and Shields Streets, southwest and northeast corners, stopping Shields Street traffic;

Mariposa and Bryant Streets, northwest and southeast corners, stopping Bryant Street traffic (makes this an all-way Stop);

Caine and Lakeview Avenues, northwest corner, stopping Caine Avenue traffic;

Holloway Avenue and Monticello Street, southeast and northwest corners, stopping Monticello Street traffic;

Lakeview and Margaret Avenues, all corners, stopping all approaches (makes this an all-way Stop).

Adopted.

[Parking Regulations]
Resolution enacting parking regulations on various streets. (Department of Parking and Traffic)

File 19-92-9, Resolution No. 668-92

(Extended Hours of Parking Meter Operation - Establish
Pierce Street parking lot (3252 Pierce Street) 9 a.m. to 10 p.m. everyday.

4-Hour Parking Time Limit, 7 a.m. to 6 p.m., Monday Through Saturday - Rescind
1-Hour Parking Time Limit, 7 a.m. to 6 p.m., Monday through Saturday - Establish
Missouri Street, eastside, from Army Street to north terminus.

Motorcycle Parking Stalls (Non-Metered) - Establish
Harrison Street, north side, from the east property line at 1354 Harrison Street to 18 feet westerly (18-foot zone, 5 stalls).

4-Hour Parking time limit, Monday through Friday, 9 a.m. - 6 p.m.-Establish
Thomas Avenue, both sides, from Silver Avenue to north terminus.

No Parking Anytime - Establish
Thomas Avenue, end portion of cul-de-sac, north of Silver Avenue (adjacent to and including Phillip Burton High School driveway).

Tow-Away, No Parking Anytime - Establish
Dearborn Street, both sides, between 18th and Bird Streets (replaces existing No Parking Anytime regulation).

Parking Meter Area 3 - Rescind
14th Street, north side, from 102 feet west of Valencia Street westerly to Guerrero Street;

14th Street, south side, from 67 feet west of Valencia Street westerly to Guerrero Street;

Perpendicular (90-Degree Angle) Parking - Rescind
Connecticut Street, east side, between 16th and 17th Streets;

Perpendicular (90-Degree Angle) Parking - Establish
Connecticut Street, west side, between 16th and 17th Streets.)

Adopted.

[Traffic Regulations]
Resolution enacting traffic regulations on various streets. (Department of Parking and Traffic)

File 20-92-10, Resolution No. 669-92

(Tow-Away No Stopping Anytime - Establish
Stanyan Street, east side, from Fell Street to 145 feet north (145-foot zone).

O'Farrell Street, north side, from St. Joseph's Street to 110 feet westerly (110-foot zone).

Tow-Away No Stopping Anytime - Rescind
Main Street, west side, from Mission Street to 52 feet north (52-foot zone).

Left Lane Must Turn Left - Establish
Clement Street, eastbound and westbound, at Park Presidio Boulevard.

Lake Street, eastbound and westbound, at Park Presidio Boulevard.

California Street, eastbound and westbound, at Park Presidio Boulevard.

Balboa Street, eastbound and westbound, at Park Presidio Boulevard.

Left Lane Must Turn Left - Rescind
O'Farrell Street, eastbound, at Grant Avenue.

Right Lane Must Turn Right - Establish
Mission Street, northbound, at 13th Street.

Sutter Street westbound, at Sansome Street.

Right Lane Must Turn Right - Rescind
Market Street, westbound, at Sutter Street.

No Turn on Red - Establish
Chestnut Street, eastbound and westbound, at Columbus and at Taylor Street.

Green Zone, 7 a.m. - 12 Midnight Everyday - Time Extension (Fee Required)
1524 Silver Avenue, 20 feet east from west building line (20-foot zone).

No Left Turn, Buses Excepted - Establish
Mission Street, southbound, at 14th Street.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Shelley - 8.

Absent: Supervisors Kennedy, Maher, Migden - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

[Suspending five percent of Parking Tax Surcharge]
Ordinance amending Part III of the Municipal Code by adding Section 602.5-2, which suspends five percent of the Parking Tax Surcharge, effective January 1, 1993 or after, the suspension going into effect only upon the approval of a supplemental appropriation that increases the general fund contributed revenue reserves in fiscal year 1992-93 to $10,000,000 as certified by the Controller. (Supervisor Gonzalez)

File 127-92-6, Ordinance No. 256-92

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Shelley - 8.

Absent: Supervisors Kennedy, Maher, Migden - 3.

From Administration and Oversight Committee With Recommendation "DO SUBMIT"

Ordered Submitted

[Ballot Measure]
Charter amendment (First Draft) amending Section 8.409-1 relating to collective bargaining for miscellaneous employees as described in Section 8.401 of the Charter. (Supervisor Shelley)

File 229-91-4

Ordered submitted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Shelley - 8.

Absent: Supervisors Kennedy, Maher, Migden - 3.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $9,916, Department of Public Works, for capital improvement project (Hall of Justice Parking Lot Expansion) and certifying $9,916 from capital improvement project (Hall of Justice Parking Lot Expansion), to cover overage above ten percent of contracted amount pursuant to provisions of Charter Section 7.203; providing for ratification of action previously taken. (Controller)

File 101-92-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Shelley - 8.

Absent: Supervisors Kennedy, Maher, Migden - 3.

Adopted

[Grant - Federal Grant]
Resolution authorizing the District Attorney to apply for, retroactively, accept and expend grant funds in the amount of $87,443, which includes indirect costs $4,627 based on 5 percent of personnel costs and operating expenses made available through the California Office of Criminal Justice Planning for a project entitled "Gang Violence Suppression Program" for the twelve month period July 1, 1992 through June 30, 1993 and agreeing to provide cash match in the amount of $9,716. (District Attorney)

File 138-92-5, Resolution No. 678-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Shelley - 8.

Absent: Supervisors Kennedy, Maher, Migden - 3.

[Grant - State Funds]
Resolution authorizing the Chief of Police to apply for, retroactively, accept and expend funds in the amount of $121,271 which includes indirect costs of $6,352 based on 5 percent of personnel costs and operating expenses, made available through the Office of Criminal Justice Planning for a project entitled "Gang Suppression, Apprehension and Prevention"; and agreeing to provide cash match in the amount of $12,127. (Police Department)

File 143-92-3, Resolution No. 679-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Shelley - 8.

Absent: Supervisors Kennedy, Maher, Migden - 3.

[Grant - Federal Funds]
Resolution authorizing the City Librarian to accept and expend funds not to exceed $696,579 available through the California State Library from Title II of the Library Services and Construction Act for Public Library construction, which includes indirect costs in the amount of $34,829 based on five percent of the total and a required match in the amount of $696,579; placing $456,750 on reserve. (Public Library)

File 147-92-2.1, Resolution No. 681-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Shelley - 8.

Absent: Supervisors Kennedy, Maher, Migden - 3.

[Sewer Revenue Refunding Bonds]
Resolution amending and restating Resolution No. 542-88, adopted July 17, 1988, Resolution No. 677-88, adopted August 29, 1988 and Resolution No. 605-91, adopted July 15, 1991, providing for the issuance of not to exceed $385,000,000 aggregate principal amount of City and County of San Francisco Sewer Revenue Refunding Bonds, Series 1992, curing certain ambiguous provisions, adding to the covenants of the City, authorizing Sales Certificate and appointing escrow agents. (City Attorney)

File 170-92-9, Resolution No. 656-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Shelley - 8.

Absent: Supervisors Kennedy, Maher, Migden - 3.

[Sewer Revenue Refunding Bonds]
Resolution authorizing and directing the sale of not to exceed $385,000,000 aggregate principal amount of City and County of San Francisco Sewer Revenue Refunding Bonds, Series 1992, authorizing the publication of official notice of sale relating thereto; approving the form of the official statement; and authorizing official action; companion measure to File 170-92-9. (City Attorney)

File 170-92-9.1, Resolution No. 657-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Shelley - 8.

Absent: Supervisors Kennedy, Maher, Migden - 3.

[Polk/McAllister City Office Building]
Resolution authorizing Chief Administrative Officer to negotiate for development of new city office building and to accept and expend, subject to approval of Finance Committee, donation of funds to offset city costs incurred through negotiations. (Chief Administrative Officer)

File 186-92-2, Resolution No. 686-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Shelley - 8.

Absent: Supervisors Kennedy, Maher, Migden - 3.

Recommendations of Administration and Oversight Committee

Adopted

[Appointments]
Resolution appointing members to the Park and Open Space Advisory Committee, terms expired, for two-year terms ending July 15, 1994. (Administration and Oversight Committee)

File 92-92-26.1, Resolution No. 674-92

(Jacob Sigg, vice himself;
Teresa Ow-Wing, vice herself;
Ina F. Dearman, vice herself;
Lynn A. Altshuler, vice herself;
Nan C. McGuire, vice herself.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Shelley - 8.

Absent: Supervisors Kennedy, Maher, Migden - 3.

[Appointments]
Resolution appointing members to the Hazardous Materials Advisory Committee, terms expired July 1, 1992, for four-year terms ending July 1, 1996; making findings waiving residency requirements. (Administration and Oversight Committee)

File 92-92-27.1, Resolution No. 675-92

(Neil Gendel, environmental organization, vice himself;
Daniel V. Phelan, industry representative, vice himself;
Steven C. Medbery, Department of Public Works, vice Franklin Lew.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Shelley - 8.

Absent: Supervisors Kennedy, Maher, Migden - 3.

[Appointments]
Resolution appointing members to the Emergency Medical Care Committee, terms expired, for three-year terms ending June 30, 1995. (Administration and Oversight Committee)

File 92-92-28.2, Resolution No. 676-92

(Ginger Ayala, at-large provider, vice herself;
Thomas Fox, consumer, vice himself;
John Bitoff, Emergency Services, vice Gail Orr-Smith;
Marc A. Snyder, M.D., Emergency Physicians Association, vice himself;
Bob Prentice, Department of Public Health, vice Myra Snyder;
Camille Huchton, consumer, vice herself;
Robert D. Bundy, at-large provider, vice himself.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Shelley - 9.

Absent: Supervisors Kennedy, Migden - 2.

[Appointments]
Resolution appointing members to the City-Wide Alcoholism Advisory Board, terms expired July 1, 1992, for three-year terms ending July 1, 1995. (Administration and Oversight Committee)

File 92-92-29.1, Resolution No. 677-92

(Lucille Ramstetter, vice herself
Damun Gracenin, Ph.D., vice himself.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Shelley - 9.

Absent: Supervisors Kennedy, Migden - 2.

Recommendations of Economic and Social Policy Committee

Adopted

[Taxi Stands]
Resolution rescinding taxicab stands on Mason Street. (Department of Parking and Traffic)

File 15-92-1, Resolution No. 665-92

(Taxi Zone - Rescind
Mason Street, west side, from 58 feet to 80 feet north of Post Street (22-foot zone);

Mason Street, west side, from 102 feet to 140 feet north of Post Street (38-foot zone).

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Shelley - 9.

Absent: Supervisors Kennedy, Migden - 2.

[Vacation of Subsurface Street Areas]
Resolution declaring intention of Board of Supervisors to vacate certain subsurface street areas in the Yerba Buena Center Redevelopment Project Area, in that portion bounded by Mission, Howard, Fourth and Third Streets, and setting the hearing date for September 8, 1992 for all persons interested in the proposed vacation, and rescinding previous street vacation resolution and ordinance in order to correct an error in the description of the areas to be vacated and to clarify the intention of the Board of Supervisors that no easements for the facilities of utilities in the vacated areas shall be reserved. (Supervisor Hallinan)

File 164-92-1, Resolution No. 683-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Shelley - 9.

Absent: Supervisors Kennedy, Migden - 2.

[Street Vacation]
Resolution declaring intention of Board of Supervisors to vacate a portion of Keith Street located between Newcomb and LaSalle Avenues; and setting the hearing for September 8, 1992 for all persons interested in the proposed vacation. (Real Estate Department)

File 164-92-2, Resolution No. 684-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Shelley - 9.

Absent: Supervisors Kennedy, Migden - 2.

[Advisory Task Force on Homelessness]
Resolution establishing Advisory Task Force on Homeless to advise the Board of Supervisors on issues relating to homelessness. (Supervisor Kennedy)

File 174-92-3, Resolution No. 685-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Shelley - 9.

Absent: Supervisors Kennedy, Migden - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of all persons interested in or objecting to the approval of Redevelopment Plan amendment for the Rincon Point - South Beach Redevelopment Project.

File 151-92-1.1

The privilege of the floor was granted to the following persons:

Edward Helfeld, Redevelopment Agency;
Dehnert Queen.

From Redevelopment Agency

Passed for Second Reading

[Redevelopment Plan Amendment]
Ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, amended by Ordinance No. 137-92, approving the Redevelopment Plan for the Rincon Point - South Beach Redevelopment Project Area by amending said plan to expand the Project Area by adding land to the Rincon Point Sub-area of the Project Area, specifically the eastern 3,446 square feet of Lot 33 of Assessor's Block 3741, bounded by the easterly line of the existing Embarcadero Freeway Right-of-Way, (between Spear and Steuart Streets) and the existing westerly boundary of the Rincon Point Sub-area, and to extend for

five (5) years the Agency's authority to utilize eminent domain to acquire property within the Rincon Point - South Beach Redevelopment Project Area.

File 151-92-1.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Shelley - 6.

Noes: Supervisors Conroy, Maher - 2.

Absent: Supervisors Hsieh, Kennedy, Migden - 3.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of all persons interested in or objecting to the approval of Redevelopment Plan amendment for the Western Addition Redevelopment Project Area A-2.

File 151-92-2

The privilege of the floor was granted to the following persons:

Dehnert Queen;
Chuck Collins;
Bob Davis;
S. Collins;
Ray Jones;
Mae Miles;
William Jewel;
Mr. Gordon, Ella Hill Hutch Center;
James McCrae;
Edward Helfeld, Redevelopment Agency.

From Redevelopment Agency

Passed for Second Reading

[Redevelopment Plan Amendment]
Ordinance amending Ordinance No. 273-64, amended by Ordinance No. 264-70, amended by Ordinance No. 288-76, amended by Ordinance No. 491-86, amended by Ordinance No. 452-87, approving the Redevelopment Plan for the Western Addition Redevelopment Project Area A-2 by amending said plan to (1) increase the limitation on the number of tax increment funds that may be divided and allocated to the Redevelopment Agency for use under the Redevelopment Plan,

specifically to increase the limitation from $65.3 million to $190.3 million; (2) extend the time, from October 13, 1994 to October 13, 2000 for establishment or incurrence by the Redevelopment Agency of any loans, advances, or indebtedness to finance the project in whole or in part and to be repaid from the allocation of taxes pursuant to Section 33670 of the California Health and Safety Code; and (3) extend the time limit from 30 to 36 years after the original 1964 plan adoption date, for the establishment of, or incurrence of, loans, advances and indebtedness to finance the project in whole or in part.

File 151-92-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Shelley - 7.

Noes: Supervisor Maher - 1.

Absent: Supervisors Hsieh, Kennedy, Migden - 3.

PUBLIC COMMENT

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the Public Comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[State Court Resource Conservation]
Resolution endorsing the petition of the Sierra Club Legal Defense Fund which calls upon the State Courts to require the use of recycled paper, adopt a policy requiring double-sided copying of non-original documents and use unbleached paper. (Supervisors Britt and Shelley)

File 12-92-36, Resolution No. 664-92

(July 27, 1992 - Introduced in Board for consideration August 3, 1992.)

Adopted.

[Waivers for HIV-Infected Cuban AIDS Experts]
Resolution urging the Department of Justice and Department of State to grant waivers from their policy of exclusion to the United States of HIV-infected individuals and Cuban government and party officials to allow Dr. Jorge Perez Avila, Dr. Juan Carlos De La Concepcion Raxach and Mr. Raul Llanos Torres to travel from Cuba and speak at a series of AIDS conferences in the San Francisco Bay Area in the Fall of 1992 and to communicate this resolution to the appropriate parties. (Supervisor Hallinan)

File 13-92-14, Resolution No. 663-92

(July 27, 1992 - Introduced in Board for consideration August 3, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Maher, Shelley - 7.

Absent: Supervisors Britt, Hsieh, Kennedy, Migden - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-31, Resolution No. 659-92

(Carole Migden, member, Board of Supervisors, August 1 - 8; Edward A. Chow, M.D., member, Health Commission, August 13 - 20; Robert H. Feldman, Executive Director, Board of Permit Appeals, August 19 - 24; Michael P. Huerta, Executive Director, Port of San

Francisco, July 27 - 30; J. Stanley Mattison, Vice President, Airports Commission, July 22 - 24, 1992.)

Adopted.

[Condominium Conversion]
Motion approving final map of 2240 Green Street, a condominium project, being a resubdivision of Lot 14, in Assessor's Block 539; and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Kennedy)

File 58-92-20

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

[Street Closing]
Resolution authorizing temporary closing of a portion of Jones Street between Turk Street and Golden Gate Avenue on Monday, August 10, 1992 from 8:30 a.m. until 12:00 p.m., for a construction start ceremony for affordable housing project sponsored by Chinese Community Housing.

File 42-92-29, Resolution No. 660-92

Supervisor Shelley presented for immediate adoption.

Adopted.

[Lead Contamination at Fort Point]
Resolution commending the Golden Gate Bridge, Highway and Transportation District, the Golden Gate National Recreation Area, and the United States Army for their efforts to fence the areas of Fort Point that have been contaminated by lead-based paint debris, requesting these agencies to prepare a long-range plan to eliminate in a safe manner the lead paint debris, and to take any other actions that may be needed to prevent persons from having contact with the contaminated areas of Fort Point.

File 55-92-3, Resolution No. 661-92

Supervisors Kennedy, Hsieh, Shelley presented for immediate adoption.

Adopted.

[Grant-Federal]
Resolution authorizing the Department of Public Health, Aids Office,

to accept and expend a grant of $99,534 from the Health Resources and Services Administration to fund the Field Test of the Uniform Reporting System Project; waiving indirect costs and providing for ratification of action previously taken.

File 146-92-58, Resolution No. 662-92

Supervisor Gonzalez presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Maher, Shelley - 7.

Absent: Supervisors Britt, Hsieh, Kennedy, Migden - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Underground District]
Ordinance creating underground district in Sutro Heights District. (Supervisor Maher presented.) Referred to City Services Committee with request that it be considered at the August 18, 1992 meeting.

File 52-92-5

[Brownie Mary Day]
Resolution dedicating August 7, 1992 "Brownie Mary Day" in San Francisco. (Supervisor Hallinan presented.) Referred to City Services Committee.

File 4-92-14

Referred to Board

[Street Closing]
Resolution authorizing temporary closing of a portion of Franklin Street between Grove and McAllister Streets on Monday, September 7, 1992 from 6:00 a.m. until 12:00 a.m.; Friday, September 11, 1992 from 6:00 a.m. until Saturday, September 12, 1992 at 12:00 a.m., for San Francisco Opera Guild. (Supervisor Shelley presented.) Referred to Board August 10, 1992 For Adoption Without Committee Reference Calendar.

File 42-92-30

[Lighting Assessment District]
Resolution determining to undertake proceedings to form an assessment district pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Sutro Heights District. (Supervisor Maher presented.) Referred to City Services Committee with request that it be heard at the August 18, 1992 meeting.

File 52-92-5.1

[Hemp Medication]
Resolution urging the Mayor to direct the Police Department and the District Attorney to not arrest or prosecute those involved in the personal possession or cultivation of hemp for medicinal purposes and instructing the City's representative in Sacramento to lobby the State Legislature and the California Medical Association for a State Senate Medical Bill for the 1992-1993 legislative session. (Supervisor Hallinan presented.) Referred to City Services Committee.

File 285-92-1

Request for Hearings:

File 121-92-10, By Supervisor Kennedy: To consider a review of Taxi Cab License Fee Ordinance No. 383-91. Referred to Finance Committee.

File 121-92-11, By Supervisor Gonzalez: To consider legislation to protect cab drivers against crime. Referred to City Services Committee.

File 171-92-4, By Supervisors Hallinan, Gonzalez: To consider requiring City officers and full-time employees to commute to and from work at least twice weekly on one of the regional public transit systems. Referred to Administration and Oversight Committee.

File 210-92-2, By Supervisor Gonzalez: To consider the investment policies of the San Francisco Employees' Retirement System Board. Referred to Finance Committee with request it be considered at the August 26, 1992 meeting.

File 289-92-1, By Supervisor Gonzalez: To consider installing a plaque in Washington Square Park to honor Latino settler, Juana Briones. Referred to City Services Committee.

File 60-92-4.1, By Supervisor Hsieh: To consider (First Draft) ballot argument concerning seismic strengthening of unreinforced masonry buildings. Referred to Finance Committee with request it be considered at the August 12, 1992 meeting.

File 60-92-4.2, By Supervisor Conroy: To consider (First Draft) ballot argument concerning construction and reconstruction of Fire Department facilities. Referred to Finance Committee with request it be considered at the August 12, 1992 meeting.

File 60-92-4.3, By Supervisor Gonzalez: To consider (First Draft) ballot argument concerning construction and reconstruction of correctional facilities. Referred to Finance Committee with request it be considered at the August 12, 1992 meeting.

File 60-92-9, By Supervisor Shelley: To consider ballot arguments for any proposition for which no other Supervisor has submitted an argument. Referred to Administration and Oversight Committee with request it be considered at the August 11, 1992 meeting.

File 229-91-5, By Supervisor Shelley: To consider (First Draft) concerning collective bargaining for miscellaneous employees as described in Section 8.401 of the Charter. Referred to Administration and Oversight Committee with request it be considered at the August 11, 1992 meeting.

File 218-92-2, By Supervisor Kennedy: To consider (First Draft) ballot argument concerning increasing retirement allowances of miscellaneous officers and employees retired prior to July 2, 1991, from $0 to $75. Referred to Administration and Oversight Committee with request it be considered at the August 11, 1992 meeting.

File 229-92-2, By Supervisor Hsieh: To consider (First Draft) ballot argument concerning financing construction or improvement of capital facilities or purchase of equipment. Referred to Administration and Oversight Committee with request it be considered at the August 11, 1992 meeting.

File 242-92-2, By Supervisor Achtenberg: To consider (First Draft) ballot argument concerning the coordination of retirement benefits for safety employees and miscellaneous employees. Referred to Administration and Oversight Committee with request it be considered at the August 11, 1992 meeting.

Motion:

Referred to Board

[Transfer of Presidio and Hunters Point Naval Shipyard] Directing the Budget Analyst to examine the impact, both direct and indirect on San Francisco of the transfer of the Presidio and Hunters Point Naval Shipyard, including direct and indirect impacts on City services. Supervisor Shelley presented. Referred to Board August 10, 1992 For Adoption Without Committee Reference Calendar.

File 165-92-11

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-92-45. [Settlement of Lawsuit] Authorizing settlement of litigation of Kam Chu Wong against the City and County of San Francisco by payment of $24,900. (City Attorney) Administration and Oversight

File 65-92-12. [Lease of Property] Authorizing and approving lease of City-owned property at 1800 Oakdale Avenue (Southeast Community Facility, northwest corner of Phelps Street and Oakdale Avenue) to Economic Opportunity Council of San Francisco, a non-profit corporation. (Real Estate Department) Finance

File 97-92-45. [Student Training - Health] Amending Administrative Code by amending Section 19A.10 thereto, authorizing the Department of Public Health to provide training to students of the allied health professions in any accredited program. (Department of Public Health) City Services

File 115-92-10. [Van Ness Avenue Special Use District] Amending the City Planning Code by amending Section 243, Van Ness Avenue Special Use District, to permit awnings, canopies and marquees. (Department of City Planning) Economic and Social Policy

Resolutions Referred to Committee

File 38-92-21. [Acceptance of Gift] Accepting one gift valued at $23,889, from the Northern California Grant Makers, for use at various recreation centers, after-school, latch-key, day camp and teen programs for the Recreation and Park Department. (Recreation and Park Department) Finance

File 93-92-31. [Letter of Agreement] Ratifying amendment to Letter of Agreement between the City and County of San Francisco and the International Union of Operating Engineers Stationary Local 39. (Office of Mayor Employee Relations Division) Administration and Oversight

File 132-92-6. [Grant - Foundation Funds] Authorizing the San Francisco Art Commission to permit intersection for the Arts to continue to act as non-profit fiscal agent for the San Francisco Art Commission Gallery and to continue sponsorship of the Gallery's Exploration; City site program and in that capacity to apply for, accept and expend a $7,500 George Frederick Jewleit Foundation Grant for City site programming; indirect costs of ten percent fiscal agent fee in the amount of $750.00 will be paid to Intersection for the Arts from the grant. (Art Commission) Finance

File 146-92-4.2. [Grant - Federal Funds] Authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, Tuberculosis Control Division, to apply for retroactively and accept and expend a supplemental to a grant of $268,923, which includes

indirect costs in the amount of $21,761 based on twenty percent of salaries, from the Department of Health and Human Services for the Tuberculosis Control Project; providing for ratification of action previously taken. (Department of Public Health) Finance

File 146-92-18.1. [Grant - State Funds] Authorizing the Department of Public Health, Division of Mental Health and Substance Abuse, to accept and expend a grant of $25,000, which includes indirect costs in the amount of $1,190, based on five percent of the total award from the California Department of Development Disabilities for mental health treatment for dually diagnosed Asian Children. (Department of Public Health) Finance

File 146-92-33.1. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Services, Epidemiology and Disease Control, Sexually Transmitted Disease Control, to apply for, accept and expend a grant of $700,468, which includes indirect costs in the amount of $7,798 based on twenty percent of salaries from the Centers for Disease Control, for a research study to evaluate HIV counseling models. (Department of Public Health) Finance

File 146-92-34.1. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Services, Epidemiology and Disease Control, Sexually Transmitted Disease Control Division, to accept and expend a grant of $378,916, which includes indirect costs of $27,766 based on twenty percent of personnel salaries from the Centers for Disease Control, for the provision of alternative Sexually Transmitted Disease services. (Department of Public Health) Finance

File 146-92-55. [Grant - State Funds] Authorizing the Department of Public Health, Laguna Honda Hospital, to accept and expend a Hazard Mitigation grant of $215,000, and a required match in the amount of $215,000, which is one hundred percent of the total award, from the California State Office of Emergency Services in behalf of Federal Emergency Management Agency (FEMA) for construction costs; waiving indirect costs. (Department of Public Health) Finance

File 146-92-56. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend an augmentation grant of $66,547, which includes $8,564 indirect costs based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control to continue funding the AIDS Surveillance and Expanded Initiatives Project. (Department of Public Health). Finance

File 146-92-57. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of $6,250,000, which includes indirect costs based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the AIDS Prevention Project. (Department of Public Health). Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that the City Attorney prepare legislation to protect cab drivers against crime.

By Supervisor Kennedy, that letter be sent to Director, Public Works inquiring as to the status of Pemberton Steps.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Lee Chester Hobson, Sr. (By the entire Board
Faye Yee Wong (Supervisor Maher)
Ralph Baxter (Supervisor Hallinan)

File 2-92-31

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:16 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 1, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 87 No. 32

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Monday, August 10, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 10, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:20 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Britt, Conroy, Hallinan, Kennedy, Maher, Shelley - 6.

Noted absent at first roll call:

Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Migden - 5.

Quorum present.

Supervisor Achtenberg excused, on official leave of absence.

Supervisor Alioto was noted present at 2:22 p.m.

Supervisor Gonzalez was noted present at 2:22 p.m.

Supervisor Hsieh excused. (See infra.)

Supervisor Migden was noted present at 2:24 p.m.

Supervisor Hsieh Excused

The Clerk announced that Supervisor Hsieh requested to be excused from attending today's meeting.

Supervisor Maher, seconded by Supervisor Kennedy, moved to excuse Supervisor Hsieh from attendance today.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Hsieh, Migden - 3.

COMMUNICATION

The Clerk presented the following communication from his Honor, the Mayor, returning with his veto the Business Advisory Commission ordinance:

August 7, 1992

Honorable Board of Supervisors
Room 235 - City Hall
San Francisco, California 94102

Re: File No. 97-92-19 (Business Advisory Commission)

Honorable Board Members:

Regrettably, I am returning the attached ordinance with my veto.

Enhancing the business climate, creating new jobs and increasing income is a major priority of my administration, and I was looking forward to the creation of a broadly representative Business Advisory Commission to help advance that goal.

Such a commission, in my view, should represent small and large businesses both downtown and in the neighborhoods.

To be truly effective, however, such a commission must be fully accountable and held totally responsible for its actions; and, therefore, must report and be responsive to the Mayor's office. To divide its membership between persons appointed by the Mayor and others by the Board of Supervisors would dilute accountability, divide responsibility and deny the commission the singleness of purpose required for it to be truly effective.

As with Police, Fire, Planning and other important commissions, I firmly believe in the principle that the buck stops with the Mayor. I want a strong, cohesive Business Advisory Commission, and to divide its membership would be bad public policy, bad management and bad for the City.

It remains my hope that we can adopt an ordinance creating a commission that would infuse new and expanding vitality into our economy. To that end, I am transmitting herewith a new ordinance which I hope the Board of Supervisors will consider as an amendment of the whole.

This ordinance retains the basic provisions of the original Business Advisory Commission Ordinance, however it creates the Commission pursuant to Charter Section 2.101 which empowers this Commission in the same manner as if created by charter amendment. Its mission remains unchanged. The number and criteria for commission members also remain unchanged. The substitute ordinance does, however, provide the Business Advisory Commission with an executive director, who shall act as department head and is authorized to carry out the Commission's activities as directed by the Commission. It also requires that a portion of the first appointed commissioners be selected by the Mayor from nominees submitted by the Board of Supervisors and designated business organizations.

The primary difference between this substitute ordinance and the original is that the Business Advisory Commission will now be endowed with the powers and authority of a commission like every other City commission. I believe this enhances the role of the Business Advisory Commission and gives the business community the voice that it wants.

I very much want a close and collaborative working relationship with the Board, and urge you to refer both my veto and this substitute proposal to committee for public hearing.

Sincerely,
/s/ Frank M. Jordan
Mayor

Consideration Continued

[Business Advisory Commission]
Ordinance repealing existing provisions of San Francisco Administrative Code, Article XIII of Chapter 5, abolishing the Bureau of Small Business and Small Business Advisory Commission, and establishing a Business Advisory Commission within the Mayor's Office of Economic Planning and Development.

File 97-92-19

Supervisor Britt, seconded by Supervisor Maher, moved to continue consideration to August 17, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Hsieh, Migden - 3.

Referred to Committee

[Business Advisory Commission]
Ordinance repealing existing provisions of San Francisco Administrative Code, Article XIII of Chapter 5, abolishing the Bureau of Small Business and Small Business Advisory Commission, and establishing a Business Advisory Commission within the Mayor's Office of Economic Planning and Development.

File 97-92-19.1

Submitted by the Mayor with request it be referred to Committee.

Referred to City Services Committee.

Presentation of Guests

Supervisor Britt introduced and welcomed John Candy, member of Board of Education, Ontario, Canada.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Airport - Lease Modification]
Ordinance approving Modification No. 1 of lease agreement between City College of San Francisco and City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission)

File 27-92-5, Ordinance No. 258-92

Finally passed.

Passed for Second Reading

[Garage Lease Documents]
Ordinance approving and adopting Polk-Bush Garage legal documents and authorization for management agreement. (Real Estate Department)

File 47-92-5, Ordinance No.

Passed for second reading.

Adopted

[Prop J Contract]
Resolution concurring with Controller's certification that services of the Court Management System Coordinator can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Municipal Court)

File 25-92-25, Resolution No. 692-92

Adopted.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one Classification 0140 Chief, Fire Department. (Fire Commission)

File 31-92-3, Resolution No. 687-92

Adopted.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one Classification 0150 Deputy Chief, Fire Department. (Fire Commission)

File 31-92-4, Resolution No. 688-92

Adopted.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Hock Investment Co., Inc., v. City and County to permit the processing of an application for conversion of condominiums of 2090 Pacific. (City Attorney)

File 45-92-39, Ordinance No. 259-92

(Superior Court No. 812-225.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Myrna A. Ragotero, Rolly P. Chan against the City and County, et al. by payment of $8,000. (City Attorney)

File 45-92-40, Ordinance No. 260-92

(Municipal Court No. 066-803)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Paul Chan against Ali Feroz and the City and County, et al. by payment of $12,000. (City Attorney)

File 45-92-41, Ordinance No. 261-92

(Superior Court No. 934-426)

Finally passed.

[CCP Section 998 Offer of Settlement]
Ordinance authorizing Code of Civil Procedure Section 998 offer of settlement of litigation of Brian Bringardner against the City and County, et al by payment of $88,000. (City Attorney)

File 45-92-42, Ordinance No. 257-92

(Superior Court No. 920-290)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Stephan H. Soo against the City and County by payment of $6,500. (City Attorney)

File 45-92-43, Ordinance No. 262-92

(United States District Court No. C90-3699 FMS)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Deborah and James De'Angelis against the City and County by payment of $17,500. (City Attorney)

File 45-92-44, Ordinance No. 263-92

(Superior Court No. 914-116)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Stephen Jones v. Nandi D. Sundaram, et al., upon receipt of the sum of $7,500 and dismissal of complaint. (City Attorney)

File 46-92-11, Ordinance No. 264-92

(Municipal Court No. 927-043)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Mary Jean Stalion v. Barry Ross, Lorence Vogt, et al., upon receipt of the sum of $7,750 and dismissal of complaint. (City Attorney)

File 46-92-12, Ordinance No. 265-92

(Superior Court No. 934-430)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of City and County v. Loretta R. Varni, Administratrix of the Estate of Dolores Wooldridge deceased and consolidated action Loretta R. Varni individually, and as Administratrix v. City and County of San Francisco, et al., by accepting consideration in the total amount of $100,000 payable in cash and in the form of a stipulated judgment against the Estate of Dolores Wooldridge; and by accepting an indemnity agreement from the Administratrix of the Estate of Dolores Wooldridge. (Tax Collector)

File 46-92-13, Ordinance No. 266-92

(Superior Court Nos. 918-696 and 903-033; Legal Division File BDR 9913.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Stephen C. Flahaven v. Richard A. La Cava, et al., and related actions, upon receipt of the sum of $7,500 less one-half costs and dismissal of complaint. (City Attorney)

File 46-92-14, Ordinance No. 267-92

(Municipal Court Consolidated Action No. 021-668.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of City and County v. John Lloyd Hipp, et al., upon receipt of the sum of $7,500 and dismissal of complaint. (City Attorney)

File 46-92-15, Ordinance No. 268-92

(Municipal Court No. 079-623.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $9,916, Department of Public Works, for capital improvement project (Hall of Justice Parking Lot Expansion) and certifying $9,916 from capital improvement project (Hall of Justice Parking Lot Expansion), to cover overage above ten percent of contracted amount pursuant to provisions of Charter Section 7.203; providing for ratification of action previously taken. (Controller)

File 101-92-5, Ordinance No. 269-92

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of City and County against Robert C. Pritikin for (($100,000, $95,120)) $50,000, $45,120 to be paid to the General Fund and building permit penalties of $4,880 to be paid directly to the Bureau of Building Inspection. (City Attorney)

File 46-92-5, Ordinance No.

(Superior Court No. 937-333.)

Supervisor Alioto, seconded by Supervisor Gonzalez, moved to amend page 1, lines 2 and 12, by replacing "$100,000, $95,120" with "$50,000, $45,120".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Migden, Shelley - 5.

Noes: Supervisors Britt, Hallinan, Kennedy, Maher - 4.

Absent: Supervisors Achtenberg, Hsieh - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Migden, Shelley - 6.

Noes: Supervisors Britt, Kennedy, Maher - 3.

Absent: Supervisors Achtenberg, Hsieh - 2.

From Redevelopment Agency

Finally Passed

[Redevelopment Plan Amendment]
Ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, amended by Ordinance No. 137-92, approving the Redevelopment Plan for the Rincon Point - South Beach Redevelopment Project Area by amending said plan to expand the Project Area by adding land to the Rincon Point Sub-area of the Project Area, specifically the eastern 3,446 square feet of Lot 33 of Assessor's Block 3741, bounded by the easterly line of the existing Embarcadero Freeway Right-of-Way, (between Spear and Steuart Streets) and the existing westerly boundary of the Rincon Point Sub-area, and to extend for five (5) years the Agency's authority to utilize eminent domain to acquire property within the Rincon Point - South Beach Redevelopment Project Area.

File 151-92-1.1, Ordinance No. 270-92

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 7.

Noes: Supervisors Conroy, Maher - 2.

Absent: Supervisors Achtenberg, Hsieh - 2.

From Redevelopment Agency

Finally Passed

[Redevelopment Plan Amendment]
Ordinance amending Ordinance No. 273-64, amended by Ordinance No. 264-70, amended by Ordinance No. 288-76, amended by Ordinance No. 491-86, amended by Ordinance No. 452-87, approving the Redevelopment Plan for the Western Addition Redevelopment Project Area A-2 by

amending said plan to (1) increase the limitation on the number of tax increment funds that may be divided and allocated to the Redevelopment Agency for use under the Redevelopment Plan, specifically to increase the limitation from $65.3 million to $190.3 million; (2) extend the time, from October 13, 1994 to October 13, 2000 for establishment or incurrence by the Redevelopment Agency of any loans, advances, or indebtedness to finance the project in whole or in part and to be repaid from the allocation of taxes pursuant to Section 33670 of the California Health and Safety Code; and (3) extend the time limit from 30 to 36 years after the original 1964 plan adoption date, for the establishment of, or incurrence of, loans, advances and indebtedness to finance the project in whole or in part.

File 151-92-2, Ordinance No. 271-92

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 8.

Noes: Supervisor Maher - 1.

Absent: Supervisors Achtenberg, Hsieh - 2.

NEW BUSINESS

Recommendation of Finance Committee

Adopted

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Central Administration, to apply for a grant of up to $420,000, which includes indirect costs in the amount of $42,000, based on ten percent of direct costs, from the Robert Wood Johnson Foundation, the Northern California Grantmakers, the Henry J. Kaiser Family Foundation, Pacific Gas and Electric Company, the Hearst Foundations, the Richard and Rhoda Goldman Fund, the San Francisco Foundation, the Gannett Communities Fund, the Pacific Telesis Foundation, the Ernest D. Van Loben Sels/Eleanor Slate Van Loben Sels Charitable Foundation, the Wells Fargo Corporate Contribution Program, the Cresent Porter Hale Foundation, the Clorox Company Foundation, the Walter and Elise Haas Fund, the McBean Family Foundation, the Montgomery Street Foundation, the Koret Foundation and the Bernard Osher Foundation for funding for the Health of the City proposal. (Department of Public Health)

File 146-92-53, Resolution No. 694-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Hsieh - 3.

Recommendation of City Services Committee

Adopted

[Permit]
Resolution granting revocable permission to 111 Jones Street Limited Partnership to install a PG&E transformer vault under the sidewalk fronting 111 Jones Street (Block 344, Lot 2), and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-92-1, Resolution No. 691-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Hsieh - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;
Charles Appleton.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Hallinan requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Administration and Oversight Committee

[Transfer of Presidio and Hunters Point Naval Shipyard]
Motion directing the Budget Analyst to examine the impact, both direct and indirect, on San Francisco of the transfer of the Presidio and Hunters Point Naval Shipyard, including direct and indirect impacts on City services. (Supervisor Shelley)

File 165-92-11

At the request of Supervisor Hallinan, the above subject matter was referred to Administration and Oversight Committee.

The Board resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference

Adopted

[Street Closing]
Resolution authorizing temporary closing of a portion of Franklin Street, between Grove and McAllister Streets, on Monday, September 7, 1992 from 6:00 a.m. until 12:00 a.m.; Friday, September 11, 1992 from 6:00 a.m. until Saturday, September 12, 1992 at 12:00 a.m., for San Francisco Opera Guild. (Supervisor Shelley)

File 42-92-30, Resolution No. 693-92

(August 3, 1992 - Introduced in Board for consideration August 10, 1992.)

Adopted.

[New Residential and Commercial Condominium Project]
Motion approving final map of 1483 Sutter Street (formerly 1445 Sutter Street), also known as the Sutterfield, a condominium project, being a resubdivision of Parcel "A", Lot 198, in Assessor's Block 689; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-92-18

(August 3, 1992 - Introduced in Board for consideration August 10, 1992.)

Adopted.

[Condominium Conversion]
Motion approving final map of 2900 Pacific Avenue, being a resubdivision of Lot 2, Assessor's Block 963, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-92-19

(August 3, 1992 - Introduced in Board for consideration August 10, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Achtenberg, Conroy, Hsieh, Shelley - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-32, Resolution No. 689-92

(Peter Ashe, member, Retirement Board, August 16 - September 14; Jeff Brown, Public Defender, July 29 - August 27; Cleo Donovan, member, Civil Service Commission, July 29 - August 7; Joseph Driscoll, member, Retirement Board, August 1 - 8 and August 31 - September 19; Susan Lowenberg, member, City Planning Commission, July 28 - August 2; Boyd G. Stephens, M.D., Chief Medical Examiner, September 18 - 23 and November 23 - December 5; Mrs. Melvin M. Swig, President, War Memorial Board of Trustees, August 4 - 17, 1992.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolution submitted after preparation of the calendar.)

Adopted

[Cultural Affairs Task Force One-Month Extension]
Resolution granting the Cultural Affairs Task Force a one-month extension to finalize their report to the Board of Supervisors no later than September 24, 1992.

File 197-92-3, Resolution No. 690-92

Supervisor Hallinan presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Achtenberg, Conroy, Hsieh, Shelley - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

[Parking Permits/Construction Vehicles/Meter Zones]
Ordinance amending Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code), by amending Section 202.C to delete the requirement that construction vehicles using parking permits in parking meter zones must display the name of the licensed contractor. (Supervisor Hallinan presented.) Referred to Economic and Social Policy Committee.

File 124-92-8

[Hotel Tax Exemption]
Ordinance amending Part III of the Municipal Code by amending Section 506 to exempt certain hotels from the Hotel Tax. (Supervisor Hallinan presented.) Referred to Finance Committee.

File 127-92-7

[Accessibility for the Disabled]
Resolution calling on the Board of Supervisors to make all board and committee meetings accessible to persons with hearing impairments by installing assistant listening devices within two months. (Supervisor Hallinan presented.) Referred to Administration and Oversight Committee.

File 54-92-4

[Removal of Members/City-Wide Alcoholism Board]
Resolution requesting the removal of three members of the City-Wide Alcoholism Advisory Board. (Supervisor Hallinan presented.) Referred to Administration and Oversight Committee.

File 92-92-29.2

Referred to Board

[SFUSD - Lead Health Hazard]
Resolution urging the School Board and the Superintendent of the San Francisco Unified School District to distribute information about the health hazards from exposure to lead and about the CHDP Program to parents and students; urging that lead screening be included as part of the health examination required when first entering school up to the age of five; urging that educational services available for children with learning and behavioral problems include services for problems believed to be caused by lead poisoning; urging compliance with all applicable Federal, State and Local laws regarding lead hazard reduction; and urging that all steps necessary to reduce lead hazards on school property be taken as soon as possible. (Supervisors Shelley, Alioto, Migden, Hallinan, Conroy, Kennedy, Gonzalez, Maher, Britt presented.) Referred to Board August 17, 1992 For Adoption Without Committee Reference Calendar.

File 290-92-1

[DSS, Recreation and Park, Library - Lead Hazards]
Resolution urging the Mayor to urge the Commission and Director of Social Services, the Recreation and Park and General Manager of Recreation and Parks, and the Library Commission and the Director of the Public Library to make educational information about the health hazards resulting from exposure to lead available to children and parents involved in programs which are sponsored by the Departments respectively. (Supervisors Shelley, Alioto, Migden, Hallinan, Conroy, Kennedy, Gonzalez, Maher, Britt presented.) Referred to Board August 17, 1992 For Adoption Without Committee Reference Calendar.

File 290-92-2

[Child Care - Lead Screening]
Resolution urging the Mayor to urge public and private child care facilities through the Mayor's Office of Children, Youth and Their Families to request lead screening of children over the age of nine months as a condition of enrollment in their respective child care program. (Supervisors Shelley, Alioto, Migden, Hallinan, Conroy, Kennedy, Gonzalez, Maher, Britt presented.) Referred to Board August 17, 1992 For Adoption Without Committee Reference Calendar.

File 290-92-3

[Housing Authority, Redevelopment Agency - Lead Hazards]
Resolution urging the Housing Authority and the Redevelopment Agency to take actions to address the health hazards resulting from the lead exposure, and directing the Clerk to transmit a copy of this resolution to the Director of the Housing Authority and the Director of the Redevelopment Agency. (Supervisors Shelley, Alioto, Migden, Hallinan, Conroy, Kennedy, Gonzalez, Maher, Britt presented.) Referred to Board August 17, 1992 For Adoption Without Committee Reference Calendar.

File 290-92-4

[DPW, BBI - Qualified Inspections]
Resolution urging the Mayor to urge the Chief Administrative and the Director of Department of Public Works and the Superintendent of Bureau of Building Inspection to develop and publish a list of qualified lead inspectors who test for the presence of lead with effective testing devices, and requesting the clerk to transmit a copy of this resolution to the Director and Superintendent. (Supervisors Shelley, Alioto, Migden, Hallinan, Conroy, Kennedy, Gonzalez, Maher, Britt presented.) Referred to Board August 17, 1992 For Adoption Without Committee Reference Calendar.

File 290-92-5

[State Legislation - Child Care Licensing]
Resolution urging members of the San Francisco's State Legislative Delegation to introduce State Legislation requiring environmental lead testing as a prerequisite for State child care licensing; directing the conveyance of this Resolution to the State Legislative Delegation and the City's State Lobbyist. (Supervisors Shelley, Alioto, Migden, Hallinan, Conroy, Kennedy, Gonzalez, Maher, Britt presented.) Referred to Board August 17, 1992 For Adoption Without Committee Reference Calendar.

File 290-92-6

Request for Hearings:

File 21-92-2, By Supervisor Alioto: To consider legislation to allow the extension of lifeline sewage rates to users who can demonstrate that medical necessity requires sewer usage in excess of lifeline allotment. Referred to Finance Committee.

File 191-92-1, By Supervisors Kennedy, Hsieh: To consider feasibility of placing streetlights at the cul-de-sac end of Caine Avenue. Referred to City Services Committee.

File 243-92-2, By Supervisor Britt: To consider the policy to provide free parking for some City employees and to consider the market value of parking spaces currently being provided free of charge and the rationale of current policy. Referred to Economic and Social Policy Committee.

File 248-92-2, By Supervisor Maher: To consider legislation transferring title to the School of Commerce in North Beach to the San Francisco Unified School District. (Referred to Finance Committee with request that it be considered as soon as possible.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-92-46. [Settlement of Lawsuit] Authorizing settlement of litigation of San Francisco Taxpayers' Association against the Board of Supervisors by payment of $50,000. (City Attorney) Administration and Oversight

File 45-92-47. [Settlement of Lawsuit] Authorizing settlement of litigation of LeBeauf, et al. against the City and County of San Francisco by payment of $13,000. (City Attorney) Administration and Oversight

File 45-92-48. [Settlement of Lawsuit] Authorizing settlement of litigation of State Compensation Insurance Fund against the City and County of San Francisco by payment of $17,490.60. (City Attorney) Administration and Oversight

File 46-92-16. [Settlement of Lawsuit] Authorizing settlement of litigation of City and County of San Francisco against Anthony Walker and Gary Walker for $5,000 to be paid to the General Fund. (City Attorney) Administration and Oversight

Resolutions Referred to Committee

File 27-92-6. [Airport - Rates and Charges] Making a finding that the schedule of rates and charges for common use facilities established by Airports Commission effective July 1, 1992 will be sufficient to pay for maintenance and operation expenses of the Airport and will not require any tax subsidy; companion measure to File 27-92-6.1. (Airports Commission) To Finance with direction to report back to Board August 24, 1992.

File 27-92-6.1. [Airport - Rates and Charges] Approving changes to the schedule of rates and charges for common use facilities at San Francisco International Airport as established by Airports Commission; companion measure to File 27-92-6. (Airports Commission) To Finance with direction to report back to Board August 24, 1992.

File 38-92-22. [Gift Acceptance] Authorizing the City and County of San Francisco to accept gift or advance funds in the amount of up to $170,000 from Catellus Development Corporation to cover certain costs and expenses related to the formation of one or more community facilities districts under the Mello-Roos Community Facility Act of 1992 in the Mission Bay Project area. (Chief Administrative Officer) Finance

File 40-92-6. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "R" in the Cleary Court area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Economic and Social Policy

File 133-92-2. [Solid Waste Management] Authorizing the Chief Administrative Officer of the City and County of San Francisco to accept and expend $2,896,061 in funds from the Sanitary Fill Company to be used for the Solid Waste Management Program Projects. (Chief Administrative Officer) Finance

File 138-92-6. [Grant - State Funds] Authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend funds in the amount of $230,850 made available through the State Board of Control, Victims of Crime Program, an agent of the State of California for a project entitled "Joint Powers Agreement with Victim Witness Assistance Center" for fiscal year 1992-93. (District Attorney) Finance

File 138-92-7. [Grant - State Funds] Authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend funds in the amount of $279,506 made available through the Office of Criminal Justice Planning for a project entitled "Victim Witness Assistance Center" for the twelve month period July 1, 1992 through June 30, 1993. (District Attorney) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that the City Attorney prepare legislation to allow the extension of life line sewage rates to users who can demonstrate that medical necessity requires sewer usage in excess of lifeline allotment.

By Supervisor Gonzalez, that letter be sent to Executive Director, Parking and Traffic Commission inquiring whether the Department can investigate the citizen request to install stop lights at 225-30th Street, which is the location of the 30th Street Senior Center in San Francisco.

By Supervisor Gonzalez, that letters be sent to the Mayor and the City Attorney inquiring whether an investigation can be made regarding the matter between the City and County of San Francisco School District regarding the citizen's request to build a curbside handicap ramp on Bartol Alley up to the playground at the On Lok Daycare Center which is used by senior citizens and youngsters.

By Supervisors Kennedy, Hsieh that letter be sent to the Acting Chief of Police requesting information on how a neighborhood would get the assistance of a Community Police Officer to assist them in deterring such criminal activities as: blatant drug sales and use, loitering, graffiti, burglary, harassment, intimidation, traffic blocking, threats, car stripping and fire weapons.

By Supervisor Maher, that the City Attorney prepare legislation that would transfer title to the School of Commerce in North Beach to the San Francisco Unified School District.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

James J. Rudden (Supervisor Shelley)
Randall Klose (Supervisors Britt, Migden)
Kozmik Ladye, aka Janice Kramer, (Supervisor Hallinan)
Paul K. Varda (Supervisor Alioto)

File 2-92-32

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:48 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 1, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Vol. 87 No. 33

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Monday, August 17, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 17, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:18 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 10.

Noted absent at first roll call:

Supervisor Hsieh - 1.

Quorum present.

Supervisor Hsieh was noted present at 2:20 p.m.

Presentation of Guests

Supervisor Kennedy introduced and welcomed the following young persons from the Bayview/Hunters Point Foundation:

Lakeesha Jefferson;
Erikah Henley;
Jenette Washington;
Shan'eeka Jane;
Lashunti Clark;
Tanya Willis;
Dartanian Woodard;
Terence Otis;
L'orenza McGee;
Cherryl Ferguson.

SPECIAL ORDER 2:00 P.M.

Recommendations of Finance Committee

Adopted

[Ballot Argument]
Motion authorizing proponent's argument in favor of Proposition A, a bond issue providing loans for seismic strengthening of unreinforced masonry buildings at a cost of $350,000,000. (Supervisor Hsieh)

File 60-92-4.1

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Ballot Argument]
Motion authorizing proponent's argument in favor of Proposition B, a bond issue providing for construction and reconstruction of correctional facilities, at a cost of $158,100,000. (Supervisor Gonzalez)

File 60-92-4.3

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Ballot Argument]
Motion authorizing proponent's argument in favor of Proposition C, a bond issue providing for construction and reconstruction of Fire Department facilities, at a cost of $40,800,000. (Supervisor Conroy)

File 60-92-4.2

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Recommendations of Administration and Oversight Committee

Adopted

[Ballot Argument]
Motion authorizing proponent's argument in favor of Proposition D, charter amendment concerning financing construction or improvement of capital facilities or purchase of equipment. (Supervisor Hsieh)

File 229-92-2

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Adopted as Amended

[Ballot Argument]
Motion authorizing proponent's argument in favor of Proposition E, charter amendment concerning collective bargaining for miscellaneous employees. (Supervisor Shelley)

File 229-91-5

Supervisor Britt, seconded by Supervisor Maher, moved an amendment of the whole ballot argument.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Ballot Argument]
Motion authorizing proponent's argument in favor of Proposition F, charter amendment concerning increasing retirement allowances of miscellaneous officers and employees retired prior to July 2, 1991. (Supervisor Kennedy)

File 218-92-2

Supervisor Kennedy, seconded by Supervisor Maher, moved an amendment of the whole ballot argument.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Ballot Argument]
Motion authorizing proponent's argument in favor of Proposition G, charter amendment concerning the coordination of retirement benefits for safety employees and miscellaneous employees. (Supervisors Achtenberg, Maher, Shelley, Hallinan)

File 242-92-2

Supervisor Achtenberg, seconded by Supervisor Kennedy, moved an amendment of the whole ballot argument.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

(Supervisor Maher dissenting in Committee.)

[Ballot Argument]
Motion authorizing opponent's argument in opposition to Proposition I, ordinance concerning I.N.S. (Immigration and Naturalization Service) cooperation. (Supervisor Achtenberg)

File 60-92-9

Supervisor Achtenberg, seconded by Supervisor Britt, moved an amendment of the whole ballot argument.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Noes: Supervisors Conroy, Maher - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Noes: Supervisors Conroy, Maher - 2.

Adopted

(Supervisor Maher dissenting in Committee.)

[Ballot Argument]
Motion authorizing opponent's argument in opposition to Proposition J, ordinance concerning solicitation. (Supervisor Achtenberg)

File 60-92-9.1

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 8.

Noes: Supervisors Conroy, Hsieh, Maher - 3.

CONSENT CALENDAR

Recommendations of Finance Committee

Adopted

[Acceptance of Gift]
Resolution accepting one gift valued at $23,889, from the Northern California Grant Makers, for use at various recreation centers, after-school, latch-key, day camp and teen programs for the Recreation and Park Department. (Recreation and Park Department)

File 38-92-21, Resolution No. 707-92

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Epidemiology and Disease Control, Sexually Transmitted Disease Control Division, to accept and expend a grant of $378,916, which includes indirect costs of $27,766 based on twenty percent of personnel salaries from the Centers for Disease Control, for the provision of alternative Sexually Transmitted Disease services. (Department of Public Health)

File 146-92-34.1, Resolution No. 717-92

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Laguna Honda Hospital, to accept and expend a Hazard Mitigation grant of $215,000, and a required match in the amount of $215,000, which is one hundred percent of the total award, from the California State Office of Emergency Services in behalf of Federal Emergency Management Agency (FEMA) for construction costs; waiving indirect costs. (Department of Public Health)

File 146-92-55, Resolution No. 718-92

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of $6,250,000, which includes indirect costs based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the AIDS Prevention Project. (Department of Public Health).

File 146-92-57, Resolution No. 720-92

Adopted.

Recommendations of Administration and Oversight Committee

Finally Passed

[Garage Lease Documents]
Ordinance approving and adopting Polk-Bush Garage legal documents and authorization for management agreement. (Real Estate Department)

File 47-92-5, Ordinance No. 273-92

Finally passed.

Passed for Second Reading

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Kam Chu Wong against the City and County by payment of $24,900. (City Attorney)

File 45-92-45, Ordinance No.

(Superior Court No. 899-881.)

Passed for second reading.

Adopted

[State Disability Insurance]
Resolution authorizing enrollment of Classification 1275 Manager, Bureau of Personnel and Training (PUC) in the State Disability Insurance Program. (Employee Relations Division)

File 89-92-11, Resolution No. 708-92

Adopted.

[State Disability Insurance]
Resolution authorizing enrollment of Classifications 0583 Assistant Clerk of Superior Court, 1126 Public Administrator, 1131 Assistant Public Administrator, Public Guardian and 1807 Management Informations Systems Tech II in the State Disability Insurance Program. (Employee Relations Division)

File 89-92-12, Resolution No. 709-92

Adopted.

[State Disability Insurance]
Resolution authorizing enrollment of Classification 9373 Manager of Marketing in the State Disability Insurance Program. (Employee Relations Division)

File 89-92-13, Resolution No. 710-92

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Tabled

[Business Advisory Commission]
Ordinance repealing existing provisions of Administrative Code, Article XIII of Chapter 5, abolishing the Bureau of Small Business and Small Business Advisory Commission, and establishing a Business Advisory Commission within the Mayor's Office of Economic Planning and Development.

File 97-92-19, Ordinance No.

(July 27, 1992 - Finally passed.
August 7, 1992 - Returned to Board by Mayor, disapproved.
August 10, 1992 - Consideration continued to August 17, 1992.)

Supervisor Maher, seconded by Supervisor Migden, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Recommendation of Administration and Oversight Committee

Passed for Second Reading as Amended

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of City and County against Robert C. Pritikin for (($50,000, $45,120)) $100,000, $95,120 to be paid to the General Fund and building permit penalties of $4,880 to be paid directly to the Bureau of Building Inspection. (City Attorney)

File 46-92-5, Ordinance No.

(Superior Court No. 937-333.)

Supervisor Alioto, seconded by Supervisor Kennedy, moved to table.

Motion to table refused adoption by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Migden, Shelley - 5.

Noes: Supervisors Achtenberg, Britt, Hallinan, Hsieh, Kennedy, Maher - 6.

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend title, line two and text, line 13 by replacing "$50,000.00" and "$45,120.00" with "$100,000.00" and "95,120.00" respectively.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Hallinan, Hsieh, Kennedy, Maher - 6.

Noes: Supervisors Alioto, Conroy, Gonzalez, Migden, Shelley - 5.

Supervisor Gonzalez, seconded by Supervisor Alioto, moved to rescind the previous vote:

Motion to rescind the previous vote adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Supervisor Alioto, seconded by Supervisor Gonzalez, moved to

suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the attorney representing Mr. Pritikin.

On objection by Supervisor Hallinan, motion lost.

The roll was then called on the pending motion to amend and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Noes: Supervisors Alioto, Conroy - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Noes: Supervisors Alioto, Conroy - 2.

Recommendation of City Services Committee

Tabled

[Wild and Dangerous Hybrids]
Ordinance amending Health Code, to prohibit advertisement for sale of any wild and potentially dangerous animal, amending the definition thereof to include wolf dogs, coydogs, other coyote-dog hybrids and other hybrids of wild with domestic animals and defining a prima facie violation thereof and by granting the Department of Animal Care and Control discretion to immediately dispose of any wild and potentially dangerous animal seized. (Supervisor Migden)

File 118-92-5, Ordinance No.

(Amends Sections 49 and 51;
Adds Section 51.1.)

Supervisor Migden, seconded by Supervisor Gonzalez, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Lease of Property]
Ordinance authorizing and approving retroactively, lease of City-owned property at 1800 Oakdale Avenue (Southeast Community Facility, northwest corner of Phelps Street and Oakdale Avenue) to Economic Opportunity Council of San Francisco, a non-profit corporation. (Real Estate Department)

File 65-92-12, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Adopted

[Disbursement of the additional penalties]
Resolution providing for the disbursement of the additional penalties assessed in criminal cases pursuant to Government Code Section 76000, establishing a Courthouse Construction Fund pursuant to Government Code Section 76100, establishing an Automated Fingerprint Identification Fund pursuant to Government Code Section 76102, continuing an Emergency Medical Services Fund pursuant to Government Code Section 76104, and imposing an additional penalty on all parking offenses to support the Courthouse Construction Fund pursuant to Government Code Section 76000; companion measure to File Nos. 97-92-42, 97-92-43 and 97-92-44. (Municipal Court)

File 97-92-43.1, Resolution No. 713-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

Passed for second reading

[Emergency Medical Services Fund]
Ordinance amending Administrative Code, to require that the Emergency Medical Services Fund be continued using penalty revenues pursuant to Government Code Sections 76000 and 76104, to require that the moneys in such fund be payable only for the purposes specified in Government Code Section 76104, and to make changes pursuant to recent amendments to Health and Safety Code Sections 1797.98a through 1797.98g; companion measure to File 97-92-43.1. (Municipal Court)

File 97-92-42, Ordinance No.

(Amends Section 10.117-73.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

[Automated Fingerprint Identification Fund]
Ordinance amending Administrative Code, to establish the Automated Fingerprint Identification Fund pursuant to Government Code Section 76102, to require that the moneys in such fund be payable only for the purposes set forth in Government Code Section 76102, and to renumber Charter Section 6.311 to 6.306; companion measure to File 97-92-43.1. (Municipal Court)

File 97-92-43, Ordinance No.

(Amends Section 10.117-108.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

Adopted

[Courthouse Construction Fund]
Resolution renaming the Courthouse Construction Fund and continuing the surcharge on filing fees in Civil and Probate actions in the Superior Court and in civil actions in the Municipal Court as provided in Government Code Section 76238 and Section 10.117-35 of the San Francisco Administrative Code, to assist in the acquisition, rehabilitation, construction and financing of courtrooms or of a courtroom building or buildings containing facilities necessary or incidental to the operation of the justice system in the City and County of San Francisco; companion measure to File 97-92-44. (Municipal Court)

File 97-92-44.1, Resolution No. 714-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

Passed for Second Reading

[Courthouse Construction Fund]
Ordinance amending Administrative Code, to rename the "Courthouse Temporary Construction Fund" the "Courthouse Construction Fund", to require that surcharges on filing fees in the Municipal and Superior Courts and penalty assessments provided in Government Code Section 76000 be deposited in such fund, and to require that the moneys deposited in such fund be used only for the purposes set forth in Government Code Sections 76000, 76100 and 76238; companion measure to Files 97-92-44.1, 97-92-43.1. (Municipal Court)

File 97-92-44, Ordinance No.

(Amends Section 10.117-35.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

Adopted

[Grant - Foundation Funds]
Resolution authorizing the Art Commission to permit Intersection for the Arts to continue to act as non-profit fiscal agent for the San Francisco Art Commission Gallery and to continue sponsorship of the Gallery's Exploration: City Site Program and in that capacity to apply for, retroactively, accept and expend a $7,500 George Frederick Jewett Foundation grant for City Site Programming; indirect costs of ten percent fiscal agent fee in the amount of $750.00 will be paid to Intersection for the Arts from the grant. (Art Commission)

File 132-92-6, Resolution No. 698-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, Tuberculosis Control Division, to apply for, retroactively, and accept and expend a supplemental to a grant of $268,923, which includes indirect costs in the amount of $21,761 based on twenty percent of salaries, from the Department of Health and Human Services for the Tuberculosis Control Project; providing for ratification of action previously taken. (Department of Public Health)

File 146-92-4.2, Resolution No. 696-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse, to accept and expend a grant of $25,000, which includes indirect costs in the amount of $1,190, based on five percent of the direct costs of $23,810, from California Department of Developmental Services for mental health treatment for dually diagnosed Asian Children. (Department of Public Health)

File 146-92-18.1, Resolution No. 715-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Epidemiology and Disease Control, Sexually Transmitted Disease Control, to apply for, retroactively, accept and expend a grant of $700,468, which includes indirect costs in the amount of $7,798 based on twenty percent of salaries, from the Centers for Disease Control, for a research study to evaluate HIV counseling models; rescinding Resolution No. 477-92. (Department of Public Health)

File 146-92-33.1, Resolution No. 716-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend, retroactively, an augmentation grant of $66,547, which includes $8,564 in indirect costs based on twenty percent of personnel costs, from the Department of Health and Human

Services, Centers for Disease Control, to continue funding the AIDS Surveillance and Expanded Initiatives Project. (Department of Public Health)

File 146-92-56, Resolution No. 719-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Recommendation of City Services and Finance Committees

Passed for Second Reading

[Dog Licenses]
Ordinance amending Municipal Code, Part III (Revenue and Business Regulations) and amending the Health Code, to require every person owning, keeping and controlling any dog over the age of four months to vaccinate said dog against rabies and to obtain a license for said dog requiring every person procuring a young dog from any animal shelter to obtain certificate for said young dog and setting forth exceptions and penalties. (Supervisor Migden)

File 127-92-4, Ordinance No.

(Fiscal Impact.)

(Deletes Municipal Code, Part III Sections 215 through 219 and 222 to 223 inclusive;
Adds Health Code Sections 41.15 through 41.25.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Recommendations of Administration and Oversight Committee

Passed for Second Reading as Amended

[Salary Standardization]
((Ordinance adjusting and fixing schedules of compensation effective July 1, 1992, to be paid under the provisions of Charter Section 8.404 to employees occupying Classification 9163 Transit Operator and related trainee class; continuing by reference the incorporation of a Memorandum of Understanding between the City and County and Transport Workers Union which established conditions and benefits of employment other than wages for said classifications.)) (Supervisor Hallinan)

Ordinance fixing schedules of compensation effective July 1, 1992, to be paid under the provisions of Charter Section 8.404 to employees occupying Classification 9163 Transit Operator and related trainee class, and incorporating by reference an amendment to the memorandum of understanding, provisions hereof to remain in effect until the adoption of any ordinance establishing different provisions.

File 104-92-1, Ordinance No.

Supervisor Migden, seconded by Supervisor Achtenberg, moved an amendment of the whole entitled, "Ordinance fixing schedules of compensation effective July 1, 1992, to be paid under the provisions of Charter Section 8.404 to employees occupying Classification 9163 Transit Operator and related trainee class, and incorporating by reference an amendment to the memorandum of understanding, provisions hereof to remain in effect until the adoption of any ordinance establishing different provisions."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Adopted

[Port Commission - Appointments]
Resolution confirming the Mayor's appointments to the Port Commission. (Mayor)

File 33-92-2, Resolution No. 705-92

(Frank J. O'Neill, vice James Bouskos, term expired, for term ending May 1, 1996;

Ming Chang, vice Arthur Coleman, resigned, for term ending May 1, 1994.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Adopted as Amended

[Redevelopment Agency - Appointments]
Resolution confirming the Mayor's appointments to the Redevelopment Agency Commission. (Mayor)

File 33-92-3, Resolution No. 706-92

(Ben Hom, vice Vivian Fei Tsen, resigned, for term ending September 3, 1994;

Cynthia Choy Ong, vice Paul Wartelle, resigned, for term ending September 3, ((1992)) 1996;

Clarence R. Stern, vice Haig Mardikian, term expired, for term ending September 3, 1995.)

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to amend line 12 by replacing "1992" with "1996".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Adopted as amend by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Adopted

[Memorandum of Understanding]
Resolution ratifying Memorandum of Understanding with Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34. (Employee Relations Division)

File 93-92-30, Resolution No. 711-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Letter of Agreement]
Resolution ratifying amendment to Letter of Agreement between the

City and County and the International Union of Operating Engineers Stationary Local 39. (Employee Relations Division)

File 93-92-31, Resolution No. 712-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Rereferred to Committee

[Legal Authorization to Sue]
Resolution authorizing Tax Collector to institute proceedings for the recovery of value rendered at hospital facilities operated by the Department of Public Health. (Tax Collector)

File 166-92-4, Resolution No.

Supervisor Hallinan, seconded by Supervisor Migden, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Recommendation of Economic and Social Policy Committee

Adopted

[State Legislation]
Resolution supporting Senate Bill 1141 (Killea), a measure which would fully establish bicycle use as an integral part of California's multimodal transportation system. (Supervisors Britt, Migden)

File 12-92-29, Resolution No. 704-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

COMMITTEE REPORTS

Recommendation of Finance Committee

Passed for Second Reading as Amended

[City Resources to Enforce Immigration Laws]
Ordinance amending Administrative Code, which prohibits use of City and County resources to assist in enforcement of federal immigration laws, to clarify that Chapter 12H does not apply to individuals who have been convicted of certain crimes. (Supervisor Gonzalez)

File 97-92-46, Ordinance No.

(Adds Section 12H.2-1.)

Supervisor Maher, seconded by Supervisor Conroy, moved an amendment of the whole which would read exactly as the ordinance submitted to the voters as Proposition I for the November 1992 election.

Amendment of the whole refused adoption by the following vote:

Ayes: Supervisors Conroy, Maher - 2.

Noes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Supervisor Hallinan, seconded by Supervisor Gonzalez, moved to amend page one, line 18, after "California" by inserting "which is still considered a felony under state law".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Noes: Supervisors Conroy, Maher - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Noes: Supervisors Conroy, Maher - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

Appointment of President Pro Tempore

At the request of the President, Supervisor Gonzalez assumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;
Charles Appleton;
Edith McMillan;
Virginia Conroy.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[SFUSD - Lead Health Hazard]
Resolution urging the School Board and the Superintendent of the San Francisco Unified School District to distribute information about the health hazards from exposure to lead and about the Child Health and Disability Program to parents and students; urging that lead screening be included as part of the health examination required when first entering school up to the age of five; urging that educational services available for children with learning and behavioral problems include services for problems believed to be caused by lead poisoning; urging compliance with all applicable Federal, State and Local laws regarding lead hazard reduction; and urging that all steps necessary to reduce lead hazards on school property be taken as soon as possible. (Supervisors Shelley, Alioto, Migden, Hallinan, Conroy, Kennedy, Gonzalez, Maher, Britt, Hsieh)

File 290-92-1, Resolution No. 721-92

(August 10, 1992 - Introduced in Board for consideration August 17, 1992.)

Adopted.

[DSS, Recreation and Park, Library - Lead Hazards]
Resolution urging the Mayor to urge the Commission and Director of Social Services, the Recreation and Park and General Manager of Recreation and Parks, and the Library Commission and the Director of the Public Library to make educational information about the health

hazards resulting from exposure to lead available to children and parents involved in programs which are sponsored by the Departments respectively. (Supervisors Shelley, Alioto, Migden, Hallinan, Conroy, Kennedy, Gonzalez, Maher, Britt, Hsieh)

File 290-92-2, Resolution No. 722-92

(August 10, 1992 - Introduced in Board for consideration August 17, 1992.)

Adopted.

[Child Care - Lead Screening]
Resolution urging the Mayor to urge public and private child care facilities through the Mayor's Office of Children, Youth and Their Families to request lead screening of children over the age of nine months as a condition of enrollment in their respective child care program. (Supervisors Shelley, Alioto, Migden, Hallinan, Conroy, Kennedy, Gonzalez, Maher, Britt, Hsieh)

File 290-92-3, Resolution No. 723-92

(August 10, 1992 - Introduced in Board for consideration August 17, 1992.)

Adopted.

[Housing Authority, Redevelopment Agency - Lead Hazards]
Resolution urging the Housing Authority and the Redevelopment Agency to take actions to address the health hazards resulting from the lead exposure, and directing the Clerk to transmit a copy of this resolution to the Director of the Housing Authority and the Director of the Redevelopment Agency. (Supervisors Shelley, Alioto, Migden, Hallinan, Conroy, Kennedy, Gonzalez, Maher, Britt, Hsieh)

File 290-92-4, Resolution No. 724-92

(August 10, 1992 - Introduced in Board for consideration August 17, 1992.)

Adopted.

[Qualified Lead Inspectors]
Resolution urging the Mayor to urge the Chief Administrative Officer and the Director of Department of Public Works and the Superintendent of Bureau of Building Inspection to develop and publish a list of qualified lead inspectors who test for the presence of lead with effective testing devices, and requesting the clerk to transmit a copy of this resolution to the Director and Superintendent. (Supervisors Shelley, Alioto, Migden, Hallinan, Conroy, Kennedy, Gonzalez, Maher, Britt, Hsieh)

File 290-92-5, Resolution No. 725-92

(August 10, 1992 - Introduced in Board for consideration August 17, 1992.)

Adopted.

[State Legislation - Child Care Licensing]
Resolution urging members of the San Francisco's State Legislative Delegation to introduce State Legislation requiring environmental lead testing as a prerequisite for State Child Care Licensing; directing the conveyance of this resolution to the State Legislative Delegation and the City's State Lobbyist. (Supervisors Shelley, Alioto, Migden, Hallinan, Conroy, Kennedy, Gonzalez, Maher, Britt, Hsieh)

File 290-92-6, Resolution No. 726-92

(August 10, 1992 - Introduced in Board for consideration August 17, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy - 7.

Absent: Supervisors Achtenberg, Maher, Migden, Shelley - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-33, Resolution No. 700-92

(Harry Britt, member, Board of Supervisors, August 23-25; Rand Castile, Director, Asian Art Museum, August 13 - 27 and

September 14 - 22; Thomas F. Murphy, Acting Chief of Police, August 15 - 22; Rudy Nothenberg, Chief Administrative Officer, August 6 - 9 and August 30 - September 1; Harry S. Parker, III, Director Fine Arts Museums, September 4 - 9; Boyd G. Stephens, M.D., Chief Medical Examiner, September 18 - 23 and November 23 - December 5; Roselyne C. Swig, member, Library Commission, August 14 - 23; Ray Telles, member, Film and Video Arts Commission, July 31 - August 12; James Yee, member, Film and Video Arts Commission, July 30 - August 4, 1992.)

Adopted.

[Keep the Giants]
Resolution urging the Major League owners and the Commissioner of Major League Baseball to use their powers to keep the San Francisco Giants in San Francisco. (Supervisors Alioto, Mayor Jordan, Shelley, Conroy, Hsieh, Kennedy, Gonzalez, Hallinan, Maher, Britt, Migden)

File 252-92-1, Resolution No. 727-92

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Proclamation]
Resolution urging the Mayor to proclaim August 21, 1992 as Beth Kivel Day in San Francisco.

File 4-92-15, Resolution No. 701-92

Supervisors Achtenberg, Migden, Gonzalez presented for immediate adoption.

Adopted.

[Proclamation]
Resolution urging the Mayor to proclaim September 4, 5 and 6, 1992 as Gay Games I Tenth Anniversary Weekend.

File 4-92-16, Resolution No. 702-92

Supervisors Achtenberg, Migden, Shelley, Hallinan, Alioto, Maher presented for immediate adoption.

Adopted.

[Proclamation]
Resolution supporting The Ride for the Children 1992 and recognizing cyclists ending hunger for their participation and dedication to end hunger for America's children and urging the Mayor to declare August 23rd and 24th, 1992, as End Hunger Days in San Francisco.

File 4-92-17, Resolution No. 695-92

Supervisors Achtenberg, Kennedy, Shelley presented for immediate adoption.

Adopted.

[Commend]
Resolution commending and honoring Julia I. Lopez for her dedication, commitment to excellence and hard work in serving the people of the City and County of San Francisco.

File 6-92-15, Resolution No. 703-92

Supervisors Achtenberg, Migden, Hallinan, Kennedy, Shelley presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Gold Street, between Sansome and Montgomery Streets on Tuesday, August 25, 1992, 6:00 a.m. until 6:00 p.m. for filming of motion picture "Joyride" by Warner Brothers.

File 42-92-31, Resolution No. 728-92

Supervisor Shelley presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Jack Kerovac Street, between Columbus and Grant Avenues on Tuesday, August 25, 1992, 5:00 p.m. until 10:00 p.m. for filming of motion picture "Joyride" by Warner Brothers.

File 42-92-32, Resolution No. 729-92

Supervisor Shelley presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Varennes Street, between Filbert and Union Streets on Monday, August 24,

1992, 7:00 a.m. until 7:00 p.m. for filming of motion picture "Joyride" by Warner Brothers.

File 42-92-33, Resolution No. 730-92

Supervisor Shelley presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Treat Avenue, between Twentieth and Twenty-First Streets, on Saturday, August 29, 1992, 2:00 p.m. until 8:00 p.m. for block party.

File 42-92-34, Resolution No. 731-92

Supervisor Gonzalez presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Mary Street, between Howard and Natoma Streets, on Saturday, August 22, 1992, from 9:00 a.m. until Sunday, August 23, 1992 8:00 p.m. for a Blues Festival, Benefit for Abused Children.

File 42-92-35, Resolution No. 732-92

Supervisor Shelley presented for immediate adoption.

Adopted.

[Health Benefits]
Resolution urging the Mayor to urge the Health Service System to extend to widows of police officers killed in the line of duty the same health coverage available to active employees covered by the Police Officers Association Memorandum of Understanding.

File 78-92-2, Resolution No. 733-92

Supervisors Conroy, Maher, Alioto, Shelley, Hsieh, Hallinan, Kennedy, Gonzalez presented for immediate adoption.

Adopted.

[San Francisco Giants]
Resolution urging County Board of Supervisors throughout the State to pass resolutions in support of keeping the Giants in California.

File 252-92-2, Resolution No. 697-92

Supervisors Shelley, Alioto, Achtenberg, Conroy, Hsieh presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy - 6.

Absent: Supervisors Achtenberg, Alioto, Maher, Migden, Shelley - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Sprinkler System, Existing High-rise Buildings]
Ordinance amending Building Code by amending Section 1746 to require installation of automatic sprinkler systems in existing high-rise buildings. (Supervisor Hsieh presented.) Referred to Economic and Social Policy Committee.

File 114-91-2

[Minority, Women, Local Business Enterprises]
Ordinance amending Administrative Code by amending Sections 12D.5, 12D.8 and 12D.11 relating to a race and gender conscious subcontracting affirmative action program for architectural/ engineering and related services. (Supervisor Kennedy presented.) Referred to Economic and Social Policy Committee with request it be considered at the August 25th meeting.

File 284-92-4

Referred to Board

[Private Industry Council]
Resolution urging the Mayor to urge the Private Industry Council to add a member to the Private Industry Council that represents the employment training needs of the homeless and to consider recommendations for appointment from the Coalition on Homelessness. (Supervisor Kennedy presented.) Referred to Board August 24, 1992 For Adoption Without Committee Reference Calendar.

File 156-92-2

Referred to Committee

[Highway Mileage Markers]
Resolution urging the Mayor to urge the California Transportation Commission to adopt the Federal system of highway mileage markers and exit numbers. (Supervisor Kennedy presented.) Referred to Economic and Social Policy Committee.

File 171-92-5

Referred to Board

[Youth Vote Project]
Resolution urging the Mayor to endorse the Youth Vote Project and incorporate it into the annual public planning process for Proposition J Funds (Children's Fund). (Supervisor Shelley presented.) Referred to Board August 24, 1992 For Adoption Without Committee Reference Calendar.

File 185-92-3

Requests for Hearings:

File 60-92-4.4, By Supervisor Hsieh: To consider rebuttal to opponent's ballot argument against Proposition A, a bond issue providing loans for seismic strengthening of unreinforced masonry buildings at a cost of $350,000,000. Referred to Finance Committee.

File 60-92-4.5, By Supervisor Gonzalez: To consider rebuttal to opponent's ballot argument against Proposition B, a bond issue providing for construction and reconstruction of correctional facilities, at a cost of $158,100,000. Referred to Finance Committee.

File 60-92-4.6, By Supervisor Conroy: To consider rebuttal to opponent's ballot argument against Proposition C, a bond issue providing for construction and reconstruction of Fire Department facilities, at a cost of $40,800,000. Referred to Finance Committee.

File 229-92-3, By Supervisor Hsieh: To consider rebuttal to opponent's ballot argument against Proposition D, charter amendment concerning financing construction or improvement of capital facilities or purchase of equipment. Referred to Administration and Oversight Committee.

File 229-91-5.1, By Supervisor Shelley: To consider rebuttal to opponent's ballot argument against Proposition E, charter amendment concerning collective bargaining for miscellaneous employees. Referred to Administration and Oversight Committee.

File 218-92-3, By Supervisor Kennedy: To consider rebuttal to opponent's ballot argument against Proposition F, charter amendment concerning increasing retirement allowances of miscellaneous officers and employees retired prior to July 2, 1991. Referred to Administration and Oversight Committee.

File 242-92-3, By Supervisor Achtenberg: To consider rebuttal to opponent's ballot argument against Proposition G, charter amendment concerning the coordination of retirement benefits for safety employees and miscellaneous employees. Referred to Administration and Oversight Committee.

File 60-92-9.2, By Supervisor Achtenberg: To consider rebuttal to proponent's argument in favor of Proposition I, ordinance concerning I.N.S. (Immigration and Naturalization Service) cooperation. Referred to Administration and Oversight Committee.

File 60-92-9.3, By Supervisor Achtenberg: To consider rebuttal to proponent's argument in favor of Proposition J, ordinance concerning solicitation. Referred to Administration and Oversight Committee.

File 97-92-49, By Supervisor Gonzalez: To consider requiring all vendors performing service contracts with the City to provide health insurance benefit to its employees performing work at sites owned or leased by City departments or agencies. Referred to Economic and Social Policy Committee.

File 217-92-10, By Supervisor Shelley: To consider progress by various City departments in implementing the litter abatement program. Referred to Finance Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 46-92-17. [Settlement of Lawsuit] Authorizing settlement of Roger Varela against BPS Guard Services, Inc., et al., upon receipt of the sum of $10,000 and dismissal of complaint. (City Attorney) Administration and Oversight

File 46-92-18. [Settlement of Lawsuit] Authorizing settlement of Barbara Jones, et al., against Donald R. Cohen, et al., upon receipt of the sum of $1,750 and release of lien. (City Attorney) Administration and Oversight

File 48-92-19. [Settlement of Claim] Authorizing settlement of litigation of Business Tax Refund Claim of Hamilton Savings Bank against the City and County of San Francisco by payment of $100,000. (City Attorney) Administration and Oversight

File 82-92-6. [Grant of Easement] Authorizing grant of twenty year easement of City-owned property (Public Utilities Commission and its Hetch Hetchy Project) to the City of Modesto, in Stanislaus County for use as a bicycle path. (Real Estate Department) Finance

File 97-92-48. [Rent Increases] Amending Administrative Code by amending Section 37.2 thereof, to exclude from the definition of rent increases a landlord's passthrough to tenants of increased costs caused by increases in the property tax rate or by parcel taxes imposed as a result of voters approved ballot measure on RAP or after June 5, 1990. (Mayor) Economic and Social Policy

Resolutions Referred to Committee

File 14-92-1. [Garage Liens] Confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health) Scheduled for Public Hearing before Board on August 31, 1992 at 3:00 p.m.

File 27-92-7. [Seismic Safety Retrofit Program] Authorizing the Airports Commission to enter into an agreement with the Department of Transportation, State of California for participation in the Seismic Safety Retrofit Program. (Airports Commission) Finance

File 30-92-8. [Patient Day Rates] Fixing patient day rates for services furnished by City and County Health Care Institutions and rescinding Resolution No. 367-92; effective July 1, 1992. (Department of Public Health) Finance

File 40-92-7. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "D" in the Glen Park area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Economic and Social Policy

File 89-92-14. [State Disability Insurance] Authorizing enrollment of Classifications 4212 Chief of Technical Services, 6116 Supervising Wastewater Control Inspector and 9393 Sale Manager, Cargo Services Division in the State Disability Insurance Program. (Office of the Mayor's Employee Relations Division) Administration and Oversight

File 146-92-59. [Grant - State Funds] Authorizing the Department of Health, Family Health Bureau, Dental Bureau, to apply for, accept and expend a continuation grant of $27,000 which includes indirect costs in the amount of $3,095, based on twenty percent of salaries from the State Department of Health Services, Dental Section, for dental health education in San Francisco elementary schools; providing for ratification of action previously taken. (Department of Public Health) Finance

File 192-92-5. [Grant - AB 434 Funds] Authorizing the Acting Executive Director of the Department of Parking and Traffic to apply for a grant in the amount of $200,000 from Bay Area Air Quality Management District AB 434 Clean Air Plan funds for a Traffic Signal Interconnection Project on 19th Avenue, foregoing reimbursement of indirect costs. (Department of Parking and Traffic) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that letter be sent to General Manager, Public Utilities Commission, transmitting copy of correspondence concerning the proposed discontinuance of the Number 26-Valencia bus

service south of Glen Park, and to inquire whether the Commission can review the concerns outlined in the letter and reinstate the Number 26-Valencia bus service south of Glen Park.

By Supervisor Gonzalez, that City Attorney prepare ordinance which would require all venders performing service contracts with the City to provide health insurance benefit to its employees performing work at sites owned or leased by City departments or agencies.

By Supervisors Kennedy, Hallinan, Alioto, Gonzalez, Hsieh, that letter be sent to his Honor, the Mayor, requesting the removal of Proposition I from the November 3, 1992 ballot.

By Supervisor Gonzalez, that letters be sent to Director of Public Works and Director of Health, transmitting copy of correspondence concerning project at 5851 Geary Boulevard and requesting information on the status of this project and comments regarding alleged non-cooperation between City departments.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Mary McAlister (Supervisor Alioto)

File 2-92-33

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:33 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on MAR 8 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, August 24, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 24, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:16 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Conroy, Hallinan, Kennedy, Maher, Migden, Shelley - 7.

Noted absent at first roll call:

Supervisors Alioto, Britt, Gonzalez, Hsieh - 4.

Quorum present.

Supervisor Britt excused, on official leave of absence.

Supervisor Alioto was noted present at 2:24 p.m.

Supervisor Gonzalez was noted present at 2:30 p.m.

Supervisor Hsieh was noted present at 2:23 p.m.

SPECIAL ORDER 2:00 P.M.

Recommendations of Finance Committee

Adopted

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument opposing Proposition A, a bond issue providing loans for the seismic strengthening of unreinforced masonry buildings, at a cost of $350,000,000. (Supervisor Hsieh)

File 60-92-4.4

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument opposing Proposition B, a bond issue providing for construction and reconstruction of correctional facilities, at a cost of $158,100,000. (Supervisor Gonzalez)

File 60-92-4.5

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument opposing Proposition C, a bond issue providing for construction and reconstruction of Fire Department facilities, at a cost of $40,800,000. (Supervisor Conroy)

File 60-92-4.6

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

COMMITTEE REPORTS

Recommendations of Administration and Oversight Committee

Adopted

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument against Proposition D, charter amendment concerning financing construction

or improvement of capital facilities or purchase of equipment. (Supervisor Hsieh)

File 229-92-3

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument against Proposition F, charter amendment concerning increasing retirement allowances of miscellaneous officers and employees retired prior to July 2, 1991. (Supervisor Kennedy)

File 218-92-3

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Ballot Argument]
Motion authorizing rebuttal to proponent's argument in favor of Proposition I, ordinance concerning I.N.S. (Immigration and Naturalization Service) cooperation. (Supervisor Achtenberg)

File 60-92-9.2

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Noes: Supervisors Conroy, Maher - 2.

Absent: Supervisor Britt - 1.

[Ballot Argument]
Motion authorizing rebuttal to proponent's argument in favor of Proposition J, ordinance concerning solicitation. (Supervisor Achtenberg)

File 60-92-9.3

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 7.

Noes: Supervisors Conroy, Hsieh, Maher - 3.

Absent: Supervisor Britt - 1.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Kennedy requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Finally Passed

[Emergency Medical Services Fund]
Ordinance amending Administrative Code, to require that the Emergency Medical Services Fund be continued using penalty revenues pursuant to Government Code Sections 76000 and 76104, to require that the moneys in such fund be payable only for the purposes specified in Government Code Section 76104, and to make changes pursuant to recent amendments to Health and Safety Code Sections 1797.98a through 1797.98g. (Municipal Court)

File 97-92-42, Ordinance No. 277-92

(Amends Section 10.117-73.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Lease of Property]
Ordinance authorizing and approving retroactively, lease of City-owned property at 1800 Oakdale Avenue (Southeast Community Facility, northwest corner of Phelps Street and Oakdale Avenue) to Economic Opportunity Council of San Francisco, a non-profit corporation. (Real Estate Department)

File 65-92-12, Ordinance No. 276-92

Finally passed.

[Automated Fingerprint Identification Fund]
Ordinance amending Administrative Code, to establish the Automated Fingerprint Identification Fund pursuant to Government Code Section 76102, to require that the moneys in such fund be payable only for the purposes set forth in Government Code Section 76102, and to renumber Charter Section 6.311 to 6.306. (Municipal Court)

File 97-92-43, Ordinance No. 278-92

(Amends Section 10.117-108.)

Finally passed.

[Courthouse Construction Fund]
Ordinance amending Administrative Code, to rename the "Courthouse Temporary Construction Fund" the "Courthouse Construction Fund", to require that surcharges on filing fees in the Municipal and Superior Courts and penalty assessments provided in Government Code Section 76000 be deposited in such fund, and to require that the moneys deposited in such fund be used only for the purposes set forth in Government Code Sections 76000, 76100 and 76238. (Municipal Court)

File 97-92-44, Ordinance No. 279-92

(Amends Section 10.117-35.)

Finally passed.

Recommendation of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Kam Chu Wong against the City and County by payment of $24,900. (City Attorney)

File 45-92-45, Ordinance No. 274-92

(Superior Court No. 899-881.)

Finally passed.

The foregoing items on the Consent Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Britt, Gonzalez - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Passed for Second Reading as Amended

[City Resources to Enforce Immigration Laws]
Ordinance amending Administrative Code, which prohibits use of City and County resources to assist in enforcement of federal immigration laws, to clarify that Chapter 12H does not apply to individuals who have been convicted of certain crimes. (Supervisor Gonzalez)

File 97-92-46, Ordinance No.

(Adds Section 12H.2-1.)

Supervisor Gonzalez, seconded by Supervisor Achtenberg, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Recommendation of City Services and Finance Committees

Finally Passed

[Dog Licenses]
Ordinance amending Municipal Code, Part III (Revenue and Business Regulations) and amending the Health Code, to require every person

owning, keeping and controlling any dog over the age of four months to vaccinate said dog against rabies and to obtain a license for said dog requiring every person procuring a young dog from any animal shelter to obtain certificate for said young dog and setting forth exceptions and penalties. (Supervisor Migden)

File 127-92-4, Ordinance No. 280-92

(Fiscal Impact.)

(Deletes Municipal Code, Part III Sections 215 through 219 and 222 to 223 inclusive; adds Health Code Sections 41.15 through 41.25.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Recommendation of Administration and Oversight Committee

Finally Passed

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of City and County against Robert C. Pritikin for $100,000, $95,120 to be paid to the General Fund and building permit penalities of $4,880 to be paid directly to the Bureau of Building Inspection. (City Attorney)

File 46-92-5, Ordinance No. 275-92

(Superior Court No. 937-333.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Noes: Supervisor Alioto - 1.

Absent: Supervisor Britt - 1.

[Salary Standardization]
Ordinance fixing schedules of compensation effective July 1, 1992, to be paid under the provisions of Charter Section 8.404 to employees occupying Classification 9163 Transit Operator and related trainee class; and incorporating by reference an amendment to the Memorandum of Understanding, provisions hereof to remain in effect until the adoption of any ordinance establishing different provisions. (Supervisor Hallinan)

File 104-92-1, Ordinance No. 272-92

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

NEW BUSINESS

Recommendations of Finance Committee

Adopted

[Airport - Rates and Changes]
Resolution making a finding that the schedule of rates and charges for common use facilities established by Airports Commission effective July 1, 1992 will be sufficient to pay for maintenance and operation expenses of the Airport and will not require any tax subsidy. (Airports Commission)

File 27-92-6, Resolution No. 743-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Airport - Rates and Changes]
Resolution approving changes to the schedule of rates and charges for common use facilities at San Francisco International Airport as established by Airports Commission; companion measure to File 27-92-6. (Airports Commission)

File 27-92-6.1, Resolution No. 744-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Gift Acceptance]
Resolution authorizing the City and County to accept gift or advance funds in the amount of up to $170,000 from Catellus Development Corporation to cover certain costs and expenses related to the formation of one or more community facilities districts under the

Mello-Roos Community Facilities Act of 1982 in the Mission Bay Project area; placing $100,000 on reserve. (Chief Administrative Officer)

File 38-92-22, Resolution No. 745-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Grant - State Funds]
Resolution authorizing the District Attorney to apply for, retroactively, accept and expend funds in the amount of $230,850, which includes indirect costs in the amount of $11,543 based on 5 percent of the total grant, made available through the State Board of Control, Victims of Crime Program, an agent of the State of California for a project entitled "Joint Powers Agreement with Victim Witness Assistance Center" for fiscal year 1992-93. (District Attorney)

File 138-92-6, Resolution No. 739-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Grant - State Funds]
Resolution authorizing the District Attorney to apply for, retroactively, accept and expend funds in the amount of $279,506, which includes indirect costs in the amount of $13,975 based on 5 percent of the total grant, made available through the Office of Criminal Justice Planning for a project entitled "Victim Witness Assistance Center" for the twelve month period July 1, 1992 through June 30, 1993. (District Attorney)

File 138-92-7, Resolution No. 740-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Recommendations of Finance and City Services Committee

Adopted

[Islais Creek Transport Storage and Project Modifications] Resolution adopting Final Negative Declaration, finding and determining that the proposed construction of the Islais Creek Transport/Storage Project Modifications will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Department of Public Works)

File 53-92-3, Resolution No. 747-92

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Adopted as Amended

[Islais Creek Transport Storage and Project Modifications] Resolution approving construction of the Department of Public Works for the construction of the Islais Creek Transport and Storage Project Modifications and finding that the project is in conformity with the Master Plan and is consistent with the priorities of Planning Code Section 101.1; companion measure to File 53-92-3. (Department of Public Works)

File 53-92-3.1, Resolution No. 746-92

(Fiscal Impact.)

Supervisor Gonzalez, seconded by Supervisor Achtenberg, moved to amend title, page one, line 4, after "modifications" by adding "and finding that the project is in conformity with the Master Plan and is consistent with the priorities of Planning Code Section 101.1." and on page two, line 23, by adding "FURTHER RESOLVED, That the Board further determines that this project is in conformity with the Master Plan and is consistent with the priorities set forth in Planning Code Section 101.1."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Recommendations of City Services Committee

Passed for Second Reading

[Underground Utility District 309]
Ordinance amending Ordinance No. 96-89, which amended Ordinances No. 51-79, 298-86 and 305-88 to redefine Underground District 309, Buena Vista District, by requiring that all aerial utility facilities in this district, including those located on private property or in rear easements, be placed underground, and by requiring property owners to provide and maintain the underground supporting structures on their property. (Supervisor Achtenberg)

File 52-92-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Passed for Second Reading as Amended

[Animal Sacrifice]
Ordinance amending Health Code, to prohibit any person, group, firm or corporation from sacrificing any animal or selling any animal for sacrifice. (Supervisor Migden)

File 118-92-6, Ordinance No.

(Adds Article 1A.)

Supervisor Migden, seconded by Supervisor Alioto, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Supervisor Hsieh, seconded by Supervisor Conroy, moved to table.

Motion to table refused adoption by the following vote:

Ayes: Supervisor Hsieh - 1.

Noes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisor Britt - 1.

Supervisor Conroy, seconded by Supervisor Hsieh, moved to amend by deleting subsection d.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Hsieh, Kennedy - 4.

Noes: Supervisors Alioto, Gonzalez, Hallinan, Migden, Shelley - 5.

Absent: Supervisors Britt, Maher - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Britt, Maher - 2.

Adopted as Amended

[Hemp Medication]
((Resolution urging the Mayor to urge the Police Commission and the District Attorney to make lowest priority the arrest or prosecution of those involved in the personal possession or cultivation of three or less plants of hemp for medicinal purposes, and instructing the City's representative in Sacramento to lobby the State Legislature and the California Medical Association for a State Medical Hemp Bill for the 1992-93 legislative session.)) (Supervisors Hallinan, Alioto)

Resolution urging the Mayor to urge the Police Commission and the District Attorney to make lowest priority the arrest or prosecution of those involved in the possession or cultivation for personal use of marijuana for medicinal purposes, and for the District Attorney to allow a letter from a treating physician to be used as prima facia evidence that marijuana can alleviate the pain and suffering of that patient's medical condition, and instructing the City's Representative in Sacramento to lobby the State Legislature and the California Medical Association for a State Medical Marijuana Bill for the 1992-1993 Legislative Session.

File 285-92-1, Resolution No. 741-92

Supervisor Hallinan, seconded by Supervisor Alioto, moved to an amendment of the whole entitled "Resolution urging the Mayor to urge the Police Commission and the District Attorney to make lowest priority the arrest or prosecution of those involved in the possession or cultivation for personal use of marijuana for medicinal purposes, and for the District Attorney to allow a letter from a treating physician to be used as prima facia evidence that marijuana can alleviate the pain and suffering of that patient's

medical condition, and instructing the City's Representative in Sacramento to lobby the State Legislature and the California Medical Association for a State Medical Marijuana Bill for the 1992-1993 Legislative Session."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

Adopted

[Brownie Mary Day]
Resolution declaring August 25, 1992 "Brownie Mary Day" in San Francisco honoring Mary Rathbun for her long and compassionate services at San Francisco General Hospital Ward 86. (Supervisors Hallinan, Alioto)

File 4-92-14, Resolution No. 742-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Britt, Conroy, Maher - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Lori;
Ray Radovich;
Dehnert Queen;
Claire;
Charles Appleton.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[PIC Homeless Representative]
Resolution urging the Mayor to urge the Private Industry Council to add a member to the Private Industry Council that represents the employment training needs of the homeless, and to consider recommendations for appointment from the Coalition on Homelessness. (Supervisor Kennedy)

File 156-92-2, Resolution No. 749-92

(August 17, 1992 - Introduced in Board for consideration August 24, 1992.)

Adopted.

[Proposition J-Youth Vote Project]
Resolution urging the Mayor to endorse the Youth Vote Project and incorporate it into the annual public planning process for Proposition J funds (Children's Fund). (Supervisor Shelley)

File 185-92-3, Resolution No. 743-92

(August 17, 1992 - Introduced in Board for consideration August 24, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hsieh, Migden, Shelley - 6.

Absent: Supervisors Achtenberg, Britt, Hallinan, Kennedy, Maher - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on

the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-34, Resolution No. 735-92

(Carole Migden, member, Board of Supervisors, August 30 - September 17; Mary E. Burns, General Manager, Recreation and Park Department, August 10 - 14; Debra Chasnoff, member, Film and Video Arts Commission, August 26 - September 9; David Detrick, member, Police Commission, August 12 - 16 and September 2 - 15; Francisca P. Naify, member, War Memorial Board of Trustees September 4 - October 10; Harry S. Parker, III, Director Fine Arts Museums, August 13 - 21; L. A. Turpen, Director of Airports September 4 - 16, 1992.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[The Chronicle's Little Man]
Resolution congratulating the San Francisco Chronicle's Little Man on the occasion of his 50th Anniversary.

File 4-92-18, Resolution No. 736-92

Supervisor Alioto presented for immediate adoption.

Adopted.

[Women's Equality Day]
Resolution urging the Mayor to declare August 26, 1992 Women's Equality Day in San Francisco.

File 4-92-19, Resolution No. 734-92

Supervisor Shelley presented for immediate adoption.

Adopted.

[Baseball Fay Vincent]
Resolution supporting the Commissioner in any challenge to his position.

File 4-92-20, Resolution No. 737-92

Supervisor Alioto presented for immediate adoption.

Adopted.

[Contracting Out City Services]
Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract for a lower cost than similar work services performed by City County employees.

File 25-92-28, Resolution No. 699-92

Supervisor Migden presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Broadway Street between Webster and Laguna Streets on Thursday, September 10, 1992 from 5:00 p.m. until 9:00 p.m., for a reception for the Consul General of Italy Marcello Griccioli.

File 42-92-37, Resolution No. 738-92

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the folowing vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hsieh, Migden, Shelley - 6.

Absent: Supervisors Achtenberg, Britt, Hallinan, Kennedy, Maher - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Cigarette Vending Machine Exemption]
Ordinance amending Part II, Chapter V (Health Code) of the San Francisco Municipal Code by amending Section 1009 and adding Section 1009.1.5 to exclude restaurants that hold an on-sale general liquor license. (Supervisor Maher presented.) Referred to City Services Committee.

File 118-92-7

Referred to Board

[State Transportation Bond Measure]
Resolution endorsing the Passenger Rail and Clean Air Bond Act of 1992. (Supervisor Shelley presented.) Referred to Board August 31, 1992 For Adoption Without Committee Reference Calendar.

File 12-92-37

[Minimum Wage]
Resolution urging the Industrial Welfare Commission to establish a Wage Board to recommend an adequate minimum wage. (Supervisor Shelley presented.) Referred to Board August 31, 1992 For Adoption Without Committee Reference Calendar.

File 12-92-38

[AIDS Funding]
Resolution urging increased funding for AIDS prevention, research, care and housing. (Supervisors Alioto, Gonzalez) Referred to Board August 31, 1992 For Adoption Without Committee Reference Calendar.

File 13-92-15

[Street Closing]
Resolution authorizing temporary closing of a portion of Campton Alley, between Stockton Street and Grant Avenue on Thursday, October 8, 1992 from 6:00 a.m. until Friday, October 9, 1992 at 6:00 a.m. for Bulgari Jewelry function sponsored by Campton Place Kempinski. (Supervisor Hsieh presented.) Referred to Board August 31, 1992 For Adoption Without Committee Reference Calendar.

File 42-92-36

[Street Closing]
Resolution authorizing temporary closing of portions of Battery, Green, Greenwich and Sansome Streets on Monday, September 7, 1992, from 8:00 a.m. to 3:35 p.m for "Giro Di San Francisco" bicycle race sponsored by Velo Promo and Twin Peaks Cycling Club. (Supervisor Britt presented.) Referred to Board August 31, 1992 For Adoption Without Committee Reference Calendar.

File 42-92-38

Request for Hearing:

File 291-92-1, By Supervisor Migden: To consider all special funds currently administered by the Controller. Referred to Finance Committee with request it be considered at the September 2, 1992 meeting.

Introduced by the President at the Request of Departments

Ordinance Referred to Committee

File 172-92-10. [Contract] Authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with California Youth Authority for diagnostic and treatment services and temporary detention not to exceed ninety days; providing for ratification of action previously taken. (Juvenile Probation Department) Finance

Resolutions Referred to Committee

File 7-92-5. [Public Transportation] Approving partial discontinuance of express portion of Municipal Railway Line 82X-CalTrain Levi Plaza Express; companion measure to File 7-92-5.1. (Public Utilities Commission) Scheduled for Public Hearing before Board on September 8, 1992 at 3:00 p.m.

File 7-92-5.1. [Public Transportation] Disapproving partial discontinuance of express portion of Municipal Railway Line 82X-CalTrain Levi Plaza Express; companion measure to File 7-92-5. (Public Utilities Commission) Scheduled for Public Hearing before Board on September 8, 1992 at 3:00 p.m.

File 10-92-3. [Permit] Granting revocable permission to San Francisco Redevelopment Agency (Yerba Buena Center) to construct two pedestrian bridge columns on the south side of Howard Street approximately 216 feet east of Fourth Street fronting 747 Howard Street (Block 3734, Lot 91); and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works) City Services

File 10-92-4. [Permit] Granting revocable permission to San Francisco Redevelopment Agency to construct a median island and irrigation pipe crossing on Mission Street between Third and Fourth Streets; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works) City Services

File 25-92-26. [Contracting Out City Services] Concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney) Finance

File 25-92-27. [Contracting Out City Services] Concurring with the Controller's certification that intake and shelter services to status offenders can be practically performed for lower cost than similar work services performed by City and County employees. (Juvenile Probation Department) Finance

File 38-92-23. [Gift - Private] Authorizing the Department of Public Health, Laguna Honda Hospital and Rehabilitation Center, to accept and expend a gift valued at $15,908 from Ramco Equipment for use by plant services employees to maintain and improve the quality of life for hospital's residents; providing for ratification of action previously taken. (Department of Public Health) Finance

File 40-92-8. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "O" in the West Portal/St. Francis Wood area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Economic and Social Policy

File 41-92-3 [Reinspection Fee Liens] Confirming report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health) Scheduled for Public Hearing before Board on August 31, 1992 at 3:00 p.m.

File 48-92-20. [Settlement of Claim] Approving the settlement of the unlitigated claim of State Farm Insurance Co., by payment of $6,379.46. (City Attorney) Administration and Oversight

File 82-92-7. [Acceptance of Deed - Sewer Easement] Accepting a deed from Nihonmachi Parking Corporation to a sewer easement in Assessor's Block 686; and adopting the finding pursuant to City Planning Code Section 101.1. (Real Estate Department) Finance

File 89-92-15. [State Disability Insurance] Authorizing enrollment of Classification 8162 Rent Board Hearing Officers, in the State Disability Insurance Program. (Office of the Mayor's Employee Relations Division) Administration and Oversight

File 89-92-16. [State Disability Insurance] Authorizing enrollment of Classification A894 Wastewater Control Inspector, in the State Disability Insurance Program. (Office of the Mayor's Employee Relations Division) Administration and Oversight

File 93-92-32. [Amendment to MOU] Ratifying and approving amendment of 1991-95 Memorandum of Understanding with Transport Workers Union of America, AFL-CIO and Transport Workers Union, Local 250-A (for 9163 Transit Operators. (Office of Mayor Employee Relations Division) Administration and Oversight

File 94-92-6. [Grant - State Funds] Authorizing the Public Utilities Commission to apply for, accept and expend $14,788,500 from 1993-94 State Transit Capital Improvement funds and $14,788,500 from local match funds to provide financing for the Nine Municipal Railway Guideway Projects. (Public Utilities Commission) Finance

File 94-92-7. [Grant - Federal Funds] Authorizing the Public Utilities Commission to apply for, accept and expend $7,574,454 in Federal Section 9 Operating Assistance, $25,000,000 of Federal Section 3 Fixed Guideway Capital Assistance, $4,974,542 of Federal Section 9 Capital Assistance, $12,400,000 of Federal Surface Transportation Program/Congestion Management Air Quality Capital Assistance, and $10,530,276 from various local match sources such as from State Transit Capital Improvement funds, State Urban Rail Bond funds, State Clean Air and Transportation Improvement Act Bond funds, Regional Local Match funds such as State Transit Assistance funds, Transportation Development Act funds, Bridge Toll Net Revenues, Regional Measure One funds, Gas Tax Revenues, Transit Impact Development fees, San Francisco Municipal Railway Improvement Corporation funds, the San Francisco County Sales Taxes, Port of San Francisco funds, and/or Catellus Corporation funds for seven Municipal Railway projects. (Public Utilities Commission) Finance

File 141-92-2.1. [Grant Private Funds] Authorizing the San Francisco Juvenile Probation Department to accept and expend grant monies from the San Francisco Foundation ($30,000) and Kaiser Family Foundation ($25,000) for the development of a multi-disciplinary assessment instrument, classification system and workload study; waiving indirect cost; companion measure to File 141-92-2. (Juvenile Probation Department) Finance

File 146-92-60. [Grant - State Funds] Authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, to apply for a grant of $831,847, which includes indirect costs in the amount of $68,424 based on twenty percent of salaries, from State Department of Health Services for the continuation of the Hepatitis B Demonstration Project. (Department of Public Health) Finance

File 146-92-61. [Grant - State Funds] Authorizing the Department of Public Health, to apply for, accept and expend a grant allocation of up to $12,414,697, for fiscal year 1992-93 funding from State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds, which includes indirect costs in the amount of $150,804 based on 39.93 percent of salaries or 1.658646 percent of County Hospital and other Health Services CHIP allocations. (Department of Public Health) Finance

File 146-92-62. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to apply for, accept and expend a supplemental grant of $59,647, which includes indirect costs of $6,461 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to supplement the AIDS Surveillance Project; providing for ratification of action previously taken. (Department of Public Health) Finance

File 146-92-63. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Service, Department of Epidemiology and Disease Control, STD Control Division, to accept and expend an augmentation grant of $321,540, which includes indirect costs of $34,072, based on twenty percent of personnel salaries, from the Centers for Disease Control for the provision of STD services. (Department of Public Health) Finance.

File 146-92-64. [Grant - State Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a continuing allocation of $3,000,000, from the California Department of Health Services, to continue funding the AIDS Drug Program; waiving indirect costs. (Department of Public Health) Finance

File 146-92-65. [Grant - Private and State Funds] Authorizing the Department of Public Health, as subgrantee, in collaboration with the State Department of Mental Health, Children, Youth and Families Branch, as primary grantee, to accept and expend a two year extension grant from the Robert Wood Johnson Foundation of $475,569 with $1,060,000 of matching funds from the primary grantee for a total of $1,535,569, which includes indirect costs in the amount of $133,776 based on nine percent of salaries and other allowable costs, from the Robert Wood Johnson Foundation and indirect costs of ten percent from the State Department of Mental Health for the provision of a system of care for children and youth who are seriously emotionally disturbed and their families; companion measure to File 146-92-17. (Department of Public Health) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that a letter be sent to the Director, Public Works inquiring whether street cleaning can be provided on a regular basis at the end of an alleyway, which fronts on Powell Street between Pine and Bush Streets, and whether a trash receptacle can be placed at end of said alleyway.

By Supervisor Achtenberg, that a letter be sent to the Treasurer to prepare a comprehensive report to San Francisco's current banking activities with Bank of America, and the method by which the City would transfer its accounts to another banking institution and that this report be submitted to the Board of Supervisors by Tuesday, September 8, 1992 and reviewed by the Board's Budget Analyst at that time.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Laura Bechtel (Supervisor Maher)
Albert Tuvo (Supervisor Alioto)

File 2-92-34

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:16 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on MAR 15 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, August 31, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 31, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Conroy, Hallinan, Maher, Shelley - 6.

Noted absent at first roll call:

Supervisors Alioto, Gonzalez, Hsieh, Kennedy, Migden - 5.

Quorum present.

Supervisor Alioto was noted present at 2:09 p.m.

Supervisor Gonzalez, on official leave of absence.

Supervisor Hsieh was noted present at 2:12 p.m.

Supervisor Kennedy was noted present at 2:17 p.m.

Supervisor Migden excused. (See infra.)

Supervisor Migden Excused

The Clerk announced that Supervisor Migden requested she be excused from attending today's meeting.

Supervisor Maher, seconded by Supervisor Britt, moved to excuse Supervisor Migden from attendance.

Motion to excuse Supervisor Migden from attendance adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Maher, Shelley - 7.

Absent: Supervisors Gonzalez, Hsieh, Kennedy, Migden - 4.

CONSENT CALENDAR

Recommendations of Finance Committee

Adopted

[Home Program]
Resolution approving procedures for allocating Home Program Funds, and authorizing the Mayor to encumber and authorize release of a grant of Home Program Funds from the U.S. Department of Housing and Urban Development for a total amount not to exceed Eight Million, Two Hundred Six Thousand Dollars ($8,206,000). Direct and indirect costs associated with the acceptance of these grant funds will be paid by Community Development Block Grant Funds. (Mayor's Office of Economic Planning and Development)

File 68-92-4.1, Resolution No. 769-92

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, to apply for a grant of $831,847, which includes indirect costs in the amount of $68,424 based on twenty percent of salaries, from State Department of Health Services for the continuation of the Hepatitis B Demonstration Project. (Department of Public Health)

File 146-92-60, Resolution No. 772-92

Adopted.

The foregoing items on the Consent Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Maher, Shelley - 7.

Absent: Supervisors Gonzalez, Hsieh, Kennedy, Migden - 4.

UNFINISHED BUSINESS

REGULAR CALENDAR

Recommendation of Finance Committee

Finally Passed

[City Resources to Enforce Immigration Laws]
Ordinance amending Administrative Code, which prohibits use of City and County resources to assist in enforcement of federal immigration laws, to clarify that Chapter 12H does not apply to individuals who have been convicted of certain crimes. (Supervisor Gonzalez)

File 97-92-46, Ordinance No. 282-92

(Adds Section 12H.2-1.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Maher, Shelley - 7.

Absent: Supervisors Gonzalez, Hsieh, Kennedy, Migden - 4.

Recommendations of City Services Committee

Finally Passed

[Underground Utility District 309]
Ordinance amending Ordinance No. 96-89, which amended Ordinances No. 51-79, 298-86 and 305-88 to redefine Underground District 309, Buena Vista District, by requiring that all aerial utility facilities in this district, including those located on private property or in rear easements, be placed underground, and by requiring property owners to provide and maintain the underground supporting structures on their property. (Supervisor Achtenberg)

File 52-92-3, Ordinance No. 281-92

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Maher, Shelley - 7.

Absent: Supervisors Gonzalez, Hsieh, Kennedy, Migden - 4.

[Animal Sacrifice]
Ordinance amending Health Code, to prohibit any person, group, firm or corporation from sacrificing any animal or selling any animal for sacrifice. (Supervisor Migden)

File 118-92-6, Ordinance No. 283-92

(Adds Article 1A.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Maher, Shelley - 7.

Absent: Supervisors Gonzalez, Hsieh, Kennedy, Migden - 4.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Grant of Easement]
Ordinance authorizing grant of twenty year easement of City-owned property (Public Utilities Commission and its Hetch Hetchy Project) to the City of Modesto, in Stanislaus County for use as a bicycle path. (Real Estate Department)

File 82-92-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Maher, Shelley - 8.

Absent: Supervisors Gonzalez, Kennedy, Migden - 3.

Adopted

[Seismic Safety Retrofit Program]
Resolution authorizing the Airports Commission to enter into an agreement with the Department of Transportation, State of California for participation in the Seismic Safety Retrofit Program; and ratifying actions previously taken. (Airports Commission)

File 27-92-7, Resolution No. 763-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Maher, Shelley - 8.

Absent: Supervisors Gonzalez, Kennedy, Migden - 3.

[Patient Day Rates]
Resolution fixing retroactively, patient day rates for services furnished by City and County Health Care Institutions and rescinding Resolution No. 367-92; effective July 1, 1992. (Department of Public Health)

File 30-92-8, Resolution No. 764-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Maher, Shelley - 8.

Absent: Supervisors Gonzalez, Kennedy, Migden - 3.

[Solid Waste Management]
Resolution authorizing the Chief Administrative Officer to accept and expend $2,896,061 in funds from the Sanitary Fill Company to be used for the Solid Waste Management Program Projects; placing $519,000 on reserve. (Chief Administrative Officer)

File 133-92-2, Resolution No. 770-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Maher, Shelley - 8.

Absent: Supervisors Gonzalez, Kennedy, Migden - 3.

[Grant - State Funds]
Resolution authorizing the Department of Health, Family Health Bureau, Dental Bureau, to apply for, accept and expend a continuation grant of $27,000 which includes indirect costs in the amount of $3,095, based on twenty percent of salaries from the State Department of Health Services, Dental Section, for dental health education in San Francisco elementary schools; providing for ratification of action previously taken. (Department of Public Health)

File 146-92-59, Resolution No. 771-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Maher, Shelley - 8.

Absent: Supervisors Gonzalez, Kennedy, Migden - 3.

[Redevelopment Agency Budget and Bonds]
Resolution approving an amendment to the Budget of the Redevelopment Agency for fiscal year 1992-93; the issuance of not to exceed $550,000 of tax allocation bonds; an appropriation of $55,000 for fiscal year 1992-93; and an amendment to the indebtedness limitation agreement; placing $100,000 on reserve. (Supervisor Kennedy)

File 161-92-5, Resolution No. 773-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Shelley - 8.

Noes: Supervisor Maher - 1.

Absent: Supervisors Gonzalez, Migden - 2.

Recommendations of Finance and City Services Committees

Passed for Second Reading

[Underground District]
Ordinance creating Underground District No. 317 in Sutro Heights District. (Supervisor Maher)

File 52-92-5, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Maher, Shelley - 7.

Absent: Supervisors Britt, Gonzalez, Kennedy, Migden - 4.

Adopted

[Lighting Assessment District - Sutro Heights]
Resolution determining to undertake proceedings to form an assessment district pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), for the purposes of installing street lighting in the Sutro Heights District; requesting engineer's report regarding financial assistance for senior citizen homeowners in the proposed district; companion measure to File 52-92-5. (Supervisor Maher)

File 52-92-5.1, Resolution No. 758-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Maher, Shelley - 7.

Absent: Supervisors Britt, Gonzalez, Kennedy, Migden - 4.

Recommendation of Finance and Economic and Social Policy Committee

Passed for Second Reading

[Public Pay Telephones]
Ordinance amending Public Works Code, regulating the installation and maintenance of public pay telephones on public sidewalks, requiring permits and the deposit of fees therefor and providing for enforcement of permitting requirements; 14-month review. (Department of Public Works)

File 123-92-3, Ordinance No.

(Amends Sections 706, 950, 952, 953, 954, 957, 958, 959, 960; adds Sections 950.1 and 950.2 and deletes Section 962.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Maher, Shelley - 7.

Absent: Supervisors Britt, Gonzalez, Kennedy, Migden - 4.

Recommendation of Economic and Social Policy Committee

Passed for Second Reading

[MBE/WBE/LBE - Subcontracts]
Ordinance amending Administrative Code, relating to a race and gender conscious subcontracting affirmative action program for architectural/engineering and related services. (Supervisors Kennedy, Hsieh, Achtenberg, Shelley, Alioto)

File 284-92-4, Ordinance No.

(Amends Sections 12D.5, 12D.8 and 12D.11.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Alioto, Gonzalez, Migden - 3.

Recommendation of Joint Economic and Social Policy and City Services Committees

Consideration Continued

[Pilot Disadvantaged and High Risk Youth Employment Program]
Resolution urging the Mayor to establish a pilot Disadvantaged and High Risk Youth Employment Program that would coordinate year-round disadvantaged and high risk youth employment services in the City of San Francisco for youth between the ages 16-25, and requesting that the Board of Supervisors receive on July 1, 1993, a report describing and evaluating the success of the City in establishing, funding and maintaining a Disadvantaged and High Risk Youth Employment Program during fiscal year 1992-93. (Supervisors Kennedy, Gonzalez, Hsieh, Achtenberg, Shelley, Conroy)

File 250-92-1, Resolution No.

Supervisor Kennedy, seconded by Supervisor Britt, moved to continue consideration to September 8, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Gonzalez, Migden - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing on objections to report of Director of Public Health that delinquent garbage collection service fees be made a special assessment against certain parcels of real property at which service was rendered, and for which the fees were paid by the City and County.

File 14-92-1

The following persons were granted privilege of the floor:

Public Health, Department Representative;
Thelma Humphey, Bayview Resident.

From Department of Public Health

Adopted

[Garbage Liens]
Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, creating special assessments and liens based thereon.

File 14-92-1, Resolution No. 762-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Britt, Gonzalez, Hsieh, Maher, Migden - 5.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing on objections to the report of the Tax Collector for delinquent charges for Rent Stabilization and Arbitration fees, and creating special assessments and liens based thereon.

File 41-92-2

The following person was granted privilege of the floor:

Anita Jin, representing Tax Collector.

From Tax Collector

Adopted

[Rent Stabilization and Arbitration Liens]
Resolution confirming report of delinquent charges for Rent Arbitration and Stabilization fees submitted by the Tax Collector, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 41-92-2, Resolution No. 765-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Kennedy, Shelley - 7.

Absent: Supervisors Gonzalez, Hsieh, Maher, Migden - 4.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing on objections to report of delinquent reinspection fee costs submitted by the Director of Public Health and creating special assessments and liens based thereon.

File 41-92-3

The following person was granted privilege of the floor:

Department of Public Health Representative.

There being no one else present desiring to speak, the President then declared the public hearing closed.

From Department of Public Health

Adopted

[Reinspection Fee Liens]
Resolution confirming report of delinquent reinspection fee costs

submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 41-92-3, Resolution No. 766-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Kennedy, Shelley - 7.

Absent: Supervisors Gonzalez, Hsieh, Maher, Migden - 4.

COMMITTEE REPORTS

Recommendation of Administration and Oversight Committee

Adopted

[Settlement of Claim]
Resolution authorizing settlement of litigation of Business Tax Refund Claim of Hamilton Savings Bank against the City and County by payment of $100,000. (City Attorney)

File 48-92-19, Resolution No. 757-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Gonzalez, Migden - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Gregory Worth;
Doug Baxter;
Hayes resident.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[State Transportation Bond Measure]
Resolution endorsing the Passenger Rail and Clean Air Bond Act of 1992. (Supervisor Shelley)

File 12-92-37, Resolution No. 759-92

(August 24, 1992 - Introduced in Board for consideration August 31, 1992.)

Adopted.

[Minimum Wage]
Resolution urging the Industrial Welfare Commission to establish a Wage Board to recommend an adequate minimum wage. (Supervisors Shelley, Gonzalez, Migden)

File 12-92-38, Resolution No. 760-92

(August 24, 1992 - Introduced in Board for consideration August 31, 1992.)

Adopted.

[AIDS Funding]
Resolution urging increased funding for AIDS prevention, research, care and housing. (Supervisors Alioto, Gonzalez, Shelley)

File 13-92-15, Resolution No. 761-92

(August 24, 1992 - Introduced in Board for consideration August 31, 1992.)

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Campton Alley, for Bulgari Jewelry function sponsored by Campton Place Kempinski. (Supervisor Hsieh)

File 42-92-36, Resolution No. 767-92

(Campton Alley, between Stockton Street and Grant Avenue, on Thursday, October 8, 1992, from 6:00 a.m. until Friday, October 9, 1992, at 6:00 a.m.)

(August 24, 1992 - Introduced in Board for consideration August 31, 1992.)

Adopted.

[Street Closing]
Resolution authorizing temporary closing of portions of Battery, Green, Greenwich and Sansome Streets, for "Giro Di San Francisco" bicycle race sponsored by Velo Promo and Twin Peaks Cycling Club; and providing for insurance. (Supervisor Britt)

File 42-92-38, Resolution No. 768-92

(Battery Street, between Green and Greenwich Streets, including the intersection of Battery and Greenwich Streets;

Green Street, between Battery and Sansome Streets, including the intersection of Green and Sansome Streets;

Greenwich Street, between Battery and Sansome Streets, including the intersection of Greenwich and Sansome Streets, on Monday, September 7, 1992, from 8:00 a.m. to 3:35 p.m.)

(August 24, 1992 - Introduced in Board for consideration August 31, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Britt, Gonzalez, Hsieh, Maher, Migden - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-35, Resolution No. 750-92

(Jim Gonzalez, member, Board of Supervisors, August 30 - September 1; John L. Taylor, Clerk of the Board, September 11 - 18; Steven Coulter, member, Library Commission, August 21 - September 6; James K. Ho, member, Airports Commission, September 1 - 9; Caryl

Ito, member, Commission on the Status of Women, September 1 - 8; Patrick A. Murphy, President, Airports Commission, August 25 - 27; Joanne Chow Winship, Director, Art Commission, September 5 - 13, 1992.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[San Francisco Giants]
Resolution declaring Tuesday, September 8, 1992 "Orange and Black Day" in San Francisco.

File 4-92-21, Resolution No. 751-92

Supervisors Conroy, Alioto, Shelley presented for immediate adoption.

Adopted.

[Theatre Rhinoceros Day]
Resolution urging the Mayor to proclaim September 10, 1992 as Theatre Rhinoceros Day in San Francisco.

File 4-92-22, Resolution No. 752-92

Supervisors Achtenberg, Migden, Britt presented for immediate adoption.

Adopted.

[Lesbian and Gay Bands of America]
Resolution commending and honoring lesbian and gay bands of America for their dedication, commitment to excellence, and hard work in serving the people of the City and County of San Francisco and of the United States of America.

File 6-92-17, Resolution No. 753-92

Supervisors Achtenberg, Kennedy presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Elizabeth Street, between Castro and Diamond Streets, on Saturday, September 26, 1992 from 8:30 a.m. until 6:00 p.m. for festival sponsored by St. Philips Church.

File 42-92-39, Resolution No. 754-92

Supervisor Conroy presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Virgil Street, between Twenty-fifth and Twenty-sixth Streets on Wednesday, September 2, 1992, through Saturday, September 5, 1992, from 7:00 a.m. until 10:00 p.m. for filming of the motion picture "Joyride" by Warner Brothers.

File 42-92-40, Resolution No. 755-92

Supervisor Shelley presented for immediate adoption.

Adopted.

[Shell Oil Clean-Up at 2198 Fell Street]
Resolution directing that a third party consultant be selected by a committee and hired by Shell Oil to further test the soil vapor and water at 2198 Fell for products other than gasoline and fingerprint the products that will be emitted into the air; that the Clerk of the Board of Supervisors ask for a report on alternative technologies and their efficiencies from the Bay Àrea Air Quality Management District (BAAQMD); urging the BAAQMD and the Regional Water Quality Control Board to use the new information to assess the risks; that Shell Oil will halt all efforts until all of this information is reported back to the committee.

File 257-92-1, Resolution No. 756-92

Supervisors Hallinan, Gonzalez, Alioto, Achtenberg, Shelley presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Britt, Gonzalez, Hsieh, Maher, Migden - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Bay Area Rapid Transit]
Resolution commending BART for twenty years of service. (Supervisor Shelley presented.) Referred to Board September 8, 1992 For Adoption Without Committee Reference Calendar.

File 6-92-16

Referred to Committee

[Lead Based Paint Abatement Grant Program]
Resolution authorizing the Mayor of the City and County of San Francisco to apply for, accept, and expend a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed six million dollars ($6,000,000) for a program authorized under the Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1992, Public Law Number 102-139. $600,000 of indirect costs associated with the acceptance of these grant funds is included in the application budget. (Supervisor Shelley presented.) Referred to Finance Committee with request it be considered at the September 9, 1992 meeting.

File 68-92-10

Referred to Board

[Lead in Drinking Water]
Resolution urging the Mayor to urge the Water Department to include notices in appropriate languages regarding the hazards of lead in drinking water when mailing such notices as required by Environmental Protection Agency guidelines. (Supervisor Shelley presented.) Referred to Board September 8, 1992 For Adoption Without Committee Reference Calendar.

File 290-92-7

Request for Hearings

File 170-92-10, By Supervisor Gonzalez: To consider affirmative action goals for City bond-financed projects in the areas of employment and procurement, especially in construction contracts. Referred to Finance Committee.

File 207-92-9, By Supervisor Britt: To consider jaywalking citations issued by the San Francisco Police Department. Referred to City Services Committee.

File 217-92-11, By Supervisor Shelley: To consider the progress of the City's implementation of the litter program adopted by the Board of Supervisors, and to consider proposals to reduce graffiti in San Francisco. Referred to Finance Committee.

File 256-92-1, By Supervisor Shelley: To consider the San Francisco Estuary Project. Referred to City Services Committee with request it be considered at the September 15, 1992 meeting.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 74-92-1. [Tax Rate Setting] Providing revenue and levying taxes for City and County purposes for the Fiscal Year ending June 30, 1993. (Controller) Finance

File 74-92-2. [Tax Rate Setting] Providing revenue and levying taxes for San Francisco Unified School District purposes for the Fiscal Year ending June 30, 1993. (Controller) Finance

File 74-92-3. [Tax Rate Setting] Providing revenue and levying taxes for San Francisco Community College District purposes for the Fiscal Year ending June 30, 1993. (Controller) Finance

File 101-92-2.2. [Government Funding] Amending the Annual Appropriation Ordinance, 1992-93, File 101-92-2, Ordinance No. 249-92, giving effect to revenue changes pursuant to Charter Section 6.208 and adjusting appropriations to meet the requirements of the Art Commission and the Airport pursuant to Charter Section 6.400, as a pre-requisite to levy a tax pursuant to Charter Section 6.208. (Controller) Finance

File 97-92-50. [Fees] Amending Administrative Code, by adding Sections 8.36 and 8.36-1 thereto, authorizing the Juvenile Probation Department to charge fees for certain services and documents. (Juvenile Probation Department) Finance

File 173-92-2. [Marine Terminal Agreement] Approving First Amendment to Marine Terminal Agreement with Evergreen Marine Corporation allowing a fifty percent sharing of demurrage revenue. (Port Commission) Finance

Resolutions Referred to Committee

File 27-92-8. [Airport Financing Grant - Federal Funds] Authorizing Airports Commission to file application and accept and expend grant of $11,885,183 from Federal Aviation Administration for assistance in improvement at the Airport (A.I.P. No. 14). (Airports Commission) Finance

File 27-92-9. [Hold Harmless Agreement] Authorizing the Airports Commission to enter into hold harmless agreements with Oliver de Silva, Inc., for completion of work in contaminated areas. (Airports Commission) Finance

File 134-92-2. [Presidio Planning - Department] Authorizing the Director of Planning to apply for, accept and expend funds from the National Park Service totalling $160,053 for a period of thirteen months for Presidio planning, including ten percent for indirect costs. (Department of City Planning) Finance

File 148-92-6. [Grant - Federal Funds] Authorizing Director of

Public Works to execute the necessary documents to apply for, accept and expend up to $1,000,000 in Federal funds for curb ramp construction. (Department of Public Works) Finance

File 148-92-7. [Grant - State Funds] Authorizing Director of Public Works, Bureau of Architecture, to accept and expend four hazard mitigation grants of $1,862,000, $1,400,000, $500,000 and $1,209,500 from the California State Office of Emergency Services in behalf of Federal Emergency Management Agency (FEMA); waiving indirect costs. (Department of Public Works) Finance

File 192-92-6. [Grant - State Funds] Authorizing the Executive Director of the Department of Parking and Traffic to accept and expend a grant in the amount of $263,000 of Proposition 116 funds for the Commuter Bikeway Improvement Program, foregoing reimbursement of indirect costs. (Department of Parking and Traffic) Finance

File 213-92-1. [Adopting of Childcare Fund Regulations] Substitute resolution adopting regulations governing expenditures of monies contributed by sponsors of large-scale office and hotel development to the Affordable Child Care Fund. (City Attorney) Scheduled for Public Hearing before Board on September 14, 1992 at 3:00 p.m.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Britt, that letter be sent to Chief Administrative Officer to inquire about the possibility of establishing a recycling program for colored paper.

By Supervisor Gonzalez, that City Attorney draft resolution creating a Task Force, appointed by the Board of Supervisors, that will study and recommend increasing women and disadvantaged businesses participation in contracts relating to building City-bond financed projects. (File 170-92-10)

By Supervisor Kennedy, that letter be sent to Department of Real Estate and to the Department of Public Works asking them to work with the City Attorney in preparing legislation to give the land parcel A, Block 4711, lot 5 to the City and County of San Francisco and simultaneous resolution to dedicate the street to the Department of Public Works for immediate maintenance.

By Supervisors Shelley and Alioto, that letter be sent to Director, Department of City Planning, inquiring as to the status of the application for the home at 1734 -8th Avenue to repair damages from the Loma Prieta earthquake.

By Supervisor Shelley, that letter be sent to Director, Bureau of Building Inspection, as to the status of permits for the project at 570 Page Street, whether extensions will be granted, and whether the owner of the property has fully complied with all City and County guidelines.

ADJOURNMENT

There being no further business, the Board at the hour of 3:14 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on MAR 15 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, September 8, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:19 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Shelley - 7.

Noted absent at first roll call:

Supervisors Alioto, Britt, Hsieh, Migden - 4.

Quorum present.

Supervisor Alioto was noted present at 2:21 p.m.

Supervisor Britt was noted present at 2:26 p.m.

Supervisor Kennedy was noted present at 2:21 p.m.

Supervisor Migden excused, on official leave of absence.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Grant of Easement]
Ordinance authorizing grant of twenty year easement of City-owned property (Public Utilities Commission and its Hetch Hetchy Project) to the City of Modesto, in Stanislaus County for use as a bicycle path. (Real Estate Department)

File 82-92-6, Ordinance No. 286-92

Finally passed.

Adopted

[Contracting Out City Services]
Resolution concurring with the Controller's certification that intake and shelter services to status offenders can be practically performed for lower cost than similar work services performed by City and County employees. (Juvenile Probation Department)

File 25-92-27, Resolution No. 781-92

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Public Health Service, Department of Epidemiology and Disease Control, STD Control Division, to accept and expend an augmentation grant of $321,540, which includes indirect costs of $34,072, based on twenty percent of personnel salaries, from the Centers for Disease Control for the provision of STD services. (Department of Public Health)

File 146-92-63, Resolution No. 792-92

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuing allocation of $3,000,000, from the California Department of Health Services, to continue funding the AIDS Drug Program; waiving indirect costs. (Department of Public Health)

File 146-92-64, Resolution No. 793-92

Adopted.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]
Ordinance authorizing settlement of Roger Varela against BPS Guard Services, Inc., et al., upon receipt of the sum of $10,000 and dismissal of complaint. (City Attorney)

File 46-92-17, Ordinance No.

(Superior Court No. 926684.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Barbara Jones, et al., against Donald R. Cohen, et al., upon receipt of the sum of $1,750 and release of lien. (City Attorney)

File 46-92-18, Ordinance No.

(Superior Court No. 927124.)

Passed for second reading.

[State Disability Insurance]
Resolution authorizing enrollment of Classifications 4212 Chief of Technical Services, 6116 Supervising Wastewater Control Inspector and 9393 Sales Manager, Cargo Services Division in the State Disability Insurance Program. (Office of the Mayor's Employee Relations Division)

File 89-92-14, Resolution No. 785-92

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Britt, Migden - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance and City Services Committees

Finally Passed

[Underground District]
Ordinance creating Underground District No. 317 in Sutro Heights District.. (Supervisor Maher)

File 52-92-5, Ordinance No. 285-92

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Britt, Migden - 2.

Recommendation of Finance and Economic and Social Policy Committees

Finally Passed

[Public Pay Telephones]
Ordinance amending Public Works Code, regulating the installation and maintenance of public pay telephones on public sidewalks, requiring permits and the deposit of fees therefor and providing for enforcement of permitting requirements; 14-month review. (Department of Public Works)

File 123-92-3, Ordinance No. 287-92

(Amends Sections 706, 950, 952, 953, 954, 957, 958, 959, 960; Adds Sections 950.1 and 950.2 and Deletes Section 962.)

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Britt, Migden - 2.

Recommendation of Economic and Social Policy Committee

Finally Passed

[MBE/WBE/LBE - Subcontracts]
Ordinance amending Administrative Code, relating to a race and gender-conscious subcontracting affirmative action program for architectural/engineering and related services. (Supervisors Kennedy, Hsieh, Achtenberg, Shelley, Alioto)

File 284-92-4, Ordinance No. 284-92

(Amends Sections 12D.5. 12D.8 and 12D.11.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Britt, Migden - 2.

Recommendation of Joint Economic and Social Policy and City Services Committee

Consideration Continued

[Pilot Disadvantaged and High Risk Youth Employment Program]
Resolution urging the Mayor to establish a pilot Disadvantaged and High Risk Youth Employment Program that would coordinate year-round disadvantaged and high risk youth employment services in the City of San Francisco for youth between the ages 16-25, and requesting that the Board of Supervisors receive on July 1, 1993, a report describing and evaluating the success of the City in establishing, funding and maintaining a Disadvantaged and High Risk Youth Employment Program during fiscal year 1992-93. (Supervisors Kennedy, Gonzalez, Hsieh, Achtenberg, Shelley, Conroy)

File 250-92-1, Resolution No.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to continue consideration to September 21, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Britt, Migden - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for second reading

[Government Funding]
Ordinance amending the Annual Appropriation Ordinance for fiscal year 1992-93, File No. 101-92-2, Ordinance No. 249-92, giving effect to revenue changes pursuant to Charter Section 6.208 and adjusting appropriations to meet the requirements of the Art Commission and the Airport pursuant to Charter Section 6.400, as a pre-requisite to levy a tax pursuant to Charter Section 6.208. (Controller)

File 101-92-2.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Britt, Migden - 2.

[Tax Rate Setting]
Ordinance providing revenue and levying taxes for City and County purposes for the fiscal year ending June 30, 1993. (Controller)

File 74-92-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Britt, Migden - 2.

[Tax Rate Setting]
Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1993. (Controller)

File 74-92-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Britt, Migden - 2.

[Tax Rate Setting]
Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1993. (Controller)

File 74-92-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Britt, Migden - 2.

[Contract]
Ordinance authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with California Youth Authority for diagnostic and treatment services and temporary detention not to exceed ninety days; providing for ratification of action previously taken. (Juvenile Probation Department)

File 172-92-10, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Britt, Migden - 2.

Adopted

[Gift]
Resolution authorizing the Department of Public Health, Laguna Honda Hospital and Rehabilitation Center, to accept and expend a gift valued at $15,908 from Ramco Equipment for use by plant services employees to maintain and improve the quality of life for hospital's residents; providing for ratification of action previously taken. (Department of Public Health)

File 38-92-23, Resolution No. 782-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Britt, Migden - 2.

[Acceptance of Deed - Sewer Easement]
Resolution accepting a deed from Nihonmachi Parking Corporation to a sewer easement in Assessor's Block 686; and adopting the finding pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 82-92-7, Resolution No. 784-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Britt, Migden - 2.

[Grant - State Funds]
Resolution authorizing the Public Utilities Commission to apply for, accept and expend $14,788,500 from 1993-94 State Transit Capital Improvement funds and $14,788,500 from local match funds to provide financing for the Nine Municipal Railway Guideway Projects; placing $16,605,050 on reserve. (Public Utilities Commission)

File 94-92-6, Resolution No. 787-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Britt, Migden - 2.

[Grant - Federal Funds]
Resolution authorizing the Public Utilities Commission to apply for, accept and expend $7,574,454 in Federal Section 9 Operating Assistance, $25,000,000 of Federal Section 3 Fixed Guideway Capital Assistance, $4,974,542 of Federal Section 9 Capital Assistance, $12,400,000 of Federal Surface Transportation Program/Congestion Management Air Quality Capital Assistance, and $10,530,276 from various local match sources such as from State Transit Capital Improvement funds, State Urban Rail Bond funds, State Clean Air and Transportation Improvement Act Bond funds, Regional Local Match funds such as State Transit Assistance funds, Transportation Development Act funds, Bridge Toll Net Revenues, Regional Measure One funds, Gas Tax Revenues, Transit Impact Development fees, San Francisco Municipal Railway Improvement Corporation funds, the San Francisco County Sales Taxes, Port of San Francisco funds, and/or Catellus Corporation funds for seven Municipal Railway projects; placing $38,111,645 on reserve. (Public Utilities Commission)

File 94-92-7, Resolution No. 788-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

[Grant - Private Funds]
Resolution authorizing the San Francisco Juvenile Probation Department to accept and expend grant monies from the San Francisco Foundation ($30,000) and Kaiser Family Foundation ($25,000) for the development of a multi-disciplinary assessment instrument, classification system and workload study; waiving indirect costs; placing $55,000 on reserve. (Juvenile Probation Department)

File 141-92-2.1, Resolution No. 789-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

[Grant - State Funds]
Resolution authorizing the Department of Public Health to apply for a grant allocation of up to $12,414,697 for fiscal year 1992-93 funding from State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds, which includes indirect costs in the amount of $164,981, based on 1.658646 percent of County Hospital and Other Health Services CHIP allocations. (Department of Public Health)

File 146-92-61, Resolution No. 790-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to apply for, accept and expend a supplemental grant of $59,647, which includes indirect costs of $6,461 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to supplement the AIDS Surveillance Project; providing for ratification of action previously taken. (Department of Public Health)

File 146-92-62, Resolution No. 791-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

Recommendations of Finance and City Services Committees

Passed for Second Reading

[Telecommunications Facilities]
Ordinance amending Administrative Code, to assign responsibility to the General Manager of the Department of Electricity for planning, designing, maintaining and coordinating an improved telecommunications program for departments, boards and commissions of the City and County; General Manager to provide detailed action plan to the Board of Supervisors. (Supervisor Gonzalez)

File 97-92-35, Ordinance No.

(Fiscal Impact.)

(Adds Chapter 22B.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

Recommendations of Administration and Oversight Committee

Adopted

[Removal of Members/City Wide Alcoholism Advisory Board]
Resolution approving the removal of two members from the City-Wide Alcoholism Advisory Board pursuant to California Health and Safety Code, Section 11807(d). (Supervisor Hallinan)

File 92-92-29.2, Resolution No. 786-92

(Alonzo Gallaread, term to expire June 1993;
Gonzalo Gonzalez, term to expire June 1994.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

[Accessibility for the Disabled]
Resolution requesting the Clerk of the Board to research options in Assistive Listening Devices and to report back to the Board in one month, and to make the Board and committee meetings accessible to persons with hearing impairments by installing Assistive Listening Devices within two months. (Supervisor Hallinan)

File 54-92-4, Resolution No. 783-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

[Select Committee]
Motion establishing a Select Committee of the Board of Supervisors on the impact on city services by the closures of Hunters Point Naval Shipyard and the Presidio Army Base. (Supervisor Shelley)

File 54-92-3

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

Recommendation of City Services Committee

Adopted

[Jose Coronado Playground]
Resolution urging the Mayor to urge the Recreation and Park Commission to change the name of "Folsom Playground" to "Jose Coronado Playground". (Supervisors Gonzalez, Alioto)

File 193-91-9, Resolution No. 794-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing of all persons interested in the recommendation of the Public Utilities Commission for abandonment of express portion of Municipal Railway Line 82X-Caltrain Levi Plaza Express.

File 7-92-5

(Proposed abandonment is as follows: The express portion of the 82X-line on Bay between The Embarcadero and Columbus and onto Columbus between Bay and North Point.)

(This will allow the Municipal Railway to reroute the express portion onto The Embarcadero by way of North Point, in both directions, on the same route currently used by the 42-Downtown Loop.)

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the hearing closed.

From Public Utilities Commission

Adopted

(Only one of the following two motions should be adopted.)

[Public Transportation]
Resolution approving partial discontinuance of express portion of Municipal Railway Line 82X-Caltrain Levi Plaza Express.

File 7-92-5, Resolution No. 780-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

Tabled

[Public Transportation]
Resolution disapproving partial discontinuance of express portion of Municipal Railway Line 82X-Caltrain Levi Plaza Express.

File 7-92-5.1, Resolution No.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of all persons interested in or objecting to the proposed vacation of certain subsurface street areas in the Yerba Buena Center Redevelopment Project bounded by Mission, Howard, Fourth and Third Streets, rescinding previous street vacation ordinance in order to correct an error in the description of the areas to be vacated and to clarify the intention of the Board of Supervisors that no easements for the facilities of utilities in the vacated areas shall be reserved, and finding that the vacation is consistent with the eight priority policies of City Planning Code Section 101.1

File 164-92-1.1

(Pursuant to Board of Supervisors Resolution No. 683-92, approved August 7, 1992.)

The privilege of the floor was granted to the following persons:

Andrew Schwartz;
Dehnert Queen.

From Economic and Social Policy without Recommendation

Passed for Second Reading

[Vacation of subsurface street areas]
Ordinance ordering vacation of certain subsurface street areas in the Yerba Buena Center Redevelopment Project Area in that portion bounded by Mission, Howard, Fourth and Third Streets; rescinding previous street vacation ordinance in order to correct an error in the description of the areas to be vacated and to clarify the intention of the Board of Supervisors that no easements for the facilities of utilities in the vacated areas shall be reserved, and finding that the vacation is consistent with the eight priority policies of City Planning Code Section 101.1. (Real Estate Department)

File 164-92-1.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing of all persons interested in or objecting to the proposed vacation of a portion of Keith Street located between Newcomb and La Salle Avenues and authorizing conveyance thereof to the owner of the abutting property (San Francisco Redevelopment Agency); and finding such actions are in conformity with the Master Plan.

File 164-92-2.1

(Pursuant to Board of Supervisors Resolution No.684-92, approved August 7, 1992.)

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the hearing closed.

From Economic and Social Policy without Recommendation

Passed for Second Reading

[Street Vacation - Conveyance]
Ordinance ordering vacation of a portion of Keith Street located between Newcomb and La Salle Avenues, and authorizing conveyance thereof to the owner of the abutting property (San Francisco Redevelopment Agency); and finding such actions are in conformity with the Master Plan. (Real Estate Department)

File 164-92-2.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Britt, Migden - 2.

Recess

At the request of President Shelley, the Board recessed at the hour of 3:11 p.m. to convene in closed session pursuant to Government Code Section 54956.9(a) to meet with the City Attorney to discuss litigation under City and County of San Francisco versus San Francisco Giants and Government Code Section 54956.9(b)(1) concerning significant exposure to litigation exists because the City of St. Petersburg, Florida has threatened litigation against the City and County of San Francisco regarding the San Francisco Giants and the issue of litigation indemnity regarding both of the above lawsuits.

Reconvening of the Board

The Board, at the hour of 4:27 p.m., reconvened.

A quorum was present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney concerning pending litigation as provided in the Government Code.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;
Patricia Vought;
Doug Comstock;
Margaret Verges.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of

suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Bay Area Rapid Transit]
Resolution commending Bay Area Rapid Transit District for twenty years of service. (Supervisor Shelley)

File 6-92-16, Resolution No. 779-92

(August 31, 1992 - Introduced in Board for consideration September 8, 1992.)

Adopted.

[Lead in Drinking Water]
Resolution urging the Mayor to urge the Water Department to include notices in appropriate languages regarding the hazards of lead in drinking water when mailing such notices as required by Environmental Protection Agency guidelines. (Supervisor Shelley)

File 290-92-7, Resolution No. 795-92

(August 31, 1992 - Introduced in Board for consideration September 8, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Alioto, Britt, Maher, Migden - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-36, Resolution No. 775-92

(Mayor Frank Jordan, September 5 - 8; Angela Alioto, member, Board of Supervisors, September 12 - 16; Louise Renne, City Attorney, September 7 - 10; David Detrick, member, Police Commission, August 26 - 30, September 24 - 27 and October 8 - 13; John A. Ertola, President, Fire Commission, September 8 - 14; Steve Heminger, member, Parking and Traffic Commission, September 12 - 16; James K. Ho, member, Airports Commission, September 1 - 9; Edwin Lee, Director, Human Rights Commission, September 16 - 23; Charles D. Morrow, member, Fire Commission, September 4 - 8; Patrick A. Murphy, President, Airports Commission, August 25 - 27; Anthony Rodriguez, member, Police Commission, September 8 - 18; Manuel A. Rosales, member, Parking and Traffic Commission, September 28 - October 5; Albert C. Walker, General Manager, Civil Service Commission, September 7 - 9, 1992.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Commendation]
Resolution honoring H. Marcia Smolens on her 50th birthday.

File 6-92-18, Resolution No. 776-92

Supervisor Migden presented on behalf of the entire Board for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Kearny and Pacific Streets on Sunday, September 20, 1992, from 11:00 a.m. until 12:30 p.m. for staging area for parade.

File 42-92-41, Resolution No. 778-92

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Leidesdorff Street, between Commercial and Halleck Streets on Thursday, September 10, 1992, 6:00 p.m. until Friday, September 11, 1992, 11:00 p.m. for filming of motion picture "Joyride".

File 42-92-43, Resolution No. 777-92

Supervisor Shelley presented for immediate adoption.

Adopted.

[Condominium Map Approval]
Motion approving final map of 701 Minnesota Street, a condominium project being a resubdivision of Lot 5 in Assessor's Block 4060 and adopting findings pursuant to City Planning Code Section 101.1.

File 58-92-21

Supervisor Shelley presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley - 7.

Absent: Supervisors Alioto, Britt, Maher, Migden - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Clean Water Month]
Resolution declaring the month of October 1992 as Clean Water Month. (Supervisor Shelley presented.) Referred to Board September 14, 1992 For Adoption Without Committee Reference Calendar.

File 4-92-23

[Pacific Economic Cooperation Week]
Resolution declaring the week of September 21, 1992 Pacific Economic Cooperation Week. (Supervisor Shelley presented.) Referred to Board September 14, 1992 For Adoption Without Committee Reference Calendar.

File 4-92-24

[Street Closing]
Resolution authorizing temporary closing of a portion of Ashbury

Street, between Page and Haight Streets, on Saturday, October 3, 1992 from 10:00 a.m. until 6:00 p.m. for a street fair. (Supervisor Shelley presented.) Referred to Board September 14, 1992 For Adoption Without Committee Reference Calendar.

File 42-92-42

[Voter Registration]
Resolution authorizing and directing Department Heads to assign personnel whose duties involve regular public contact to become deputized by the Registrar of Voters for the purpose of encouraging and conducting voter registration as a public service during regular working hours, and urging the Registrar of Voters to provide voter registration materials. (Supervisor Shelley presented.) Referred to Board September 14, 1992 For Adoption Without Committee Reference Calendar.

File 60-92-10

Referred to Committee

[Grant - State Funds]
Resolution authorizing the Chief Administrative Officer to apply for, accept and expend $1,341,000 from the Transportation Fund for clean air in the bay area for programs and projects to reduce air pollution from motor vehicles. (Supervisor Britt presented.) Referred to Finance Committee with request it be considered as soon as possible.

File 133-92-4

[Federal Funding]
Resolution approving a 1992-1993 Expenditure Plan for Refugee Employment Social Services funds and authorizing the President of the Private Industry Council of San Francisco, Inc. to sign, enter into and execute the State contract. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 156-92-3

[Indemnification Agreement]
Resolution authorizing the Mayor to execute an agreement with local investors whereby the City would indemnify local investors against their liability for claims arising out of their participation in attempting to purchase and retain in San Francisco the Giants franchise. (Supervisor Maher presented.) Referred to Finance Committee with direction to report back to the Board of Supervisors on September 14, 1992.

File 252-92-3

Requests for Hearings:

File 97-92-52, By Supervisor Maher: To consider enacting legislation concerning judgments/settlements in cases of racial or sexual harassment or discrimination. Referred to Administration and Oversight Committee.

File 101-92-6, By Supervisor Gonzalez: To consider emergency supplemental appropriation for additional jail space under agreements with Alameda and Contra Costa Counties. Referred to Finance Committee.

File 101-92-7, By Supervisor Gonzalez: To consider amendments to the 1992-93 Annual Appropriation Ordinance. Referred to Finance Committee.

File 102-92-5, By Supervisor Kennedy: To consider the number of new positions and classifications that were created and/or added to each department's payroll within the last two years. Referred to Finance Committee.

File 197-92-4, By Supervisors Hallinan and Gonzalez: To consider the progress of the Cultural Affairs Task Force and alleged misuse of funds. Referred to Economic and Social Policy Committee.

File 206-92-3, By Supervisor Kennedy: To consider the Housing and Urban Development's (HUD) report on the San Francisco Housing Authority. Referred to Economic and Social Policy Committee.

File 257-92-2, By Supervisor Hallinan: To consider a comprehensive policy for clean up of contaminated sites of former gas stations in San Francisco and establishment of proper neighborhood notification procedures, setting emissions standards, noise levels and site enclosure policies. Referred to Economic and Social Policy Committee.

File 258-92-1, By Supervisor Kennedy: To consider cost of implementation and enforcement of the American Disabilities Act. Referred to Finance Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-92-49. [Settlement of Lawsuit] Authorizing settlement of litigation of Hank Scoepp against the City and County of San Francisco by payment of $40,000. (City Attorney) Administration and Oversight

File 45-92-50. [Settlement of Lawsuit] Authorizing settlement of litigation of Juanita Gittins against the City and County of San Francisco by payment of $6,500. (City Attorney) Administration and Oversight

File 45-92-51. [Settlement of Lawsuit] Authorizing settlement of litigation of Minerva Martin, et al., against the City and County of San Francisco by payment of $10,500. (City Attorney) Administration and Oversight

File 45-92-52. [Settlement of Lawsuit] Authorizing settlement of litigation of Albert Rubino against the City and County of San Francisco by payment of $7,000. (City Attorney) Administration and Oversight

File 45-92-53. [Settlement of Lawsuit] Authorizing settlement of litigation of Patrick Michael Barnette against the City and County of San Francisco by payment of $15,000. (City Attorney) Administration and Oversight

File 97-92-51. [Tropical Hardwoods Contract Language Exemption] Amending Administrative Code by amending Section 12I.5, which requires every contract to contain a statement urging companies not to import, purchase, obtain, or use for any purposes, any tropical hardwood or tropical hardwood product to exclude contracts with public entities for the provision of water or power. (Public Utilities Commission) Finance

File 109-92-2. [Rent Ordinance] Amending Administrative Code by amending Section 37.3 thereof, to raise applicable percentage of the consumer price index component of annual allowance rent increase from sixty percent to eighty percent. (Mayor) Economic and Social Policy

File 172-92-11. [Tropical Hardwoods Waiver] Authorizing execution of the contract for the conveyance of water from the 1992 California Drought Emergency Water Bank; authorizing execution of the agreement for wheeling exchange water from San Luis Reservoir to City of San Francisco; and waiving requirement of Section 12I.5(b) of the San Francisco Administrative Code that every contract shall contain a statement urging companies not to use tropical hardwoods or tropical hardwood products. (Public Utilities Commission) Finance

Resolutions Referred to Committee

File 7-92-6. [Public Transportation] Approving partial discontinuance of service on the portion of Line 48-Quintara/24th Street known as "The Foundation Loop"; Hoffman Avenue Between 24th and 25th Streets, 25th, Foundation and 24th Streets, between Foundation and Hoffman; companion measure to File 7-92-6.1. (Public Utilities Commission) Scheduled for Public Hearing before Board on September 21, 1992 at 3:00 p.m.

File 7-92-6.1. [Public Transportation] Disapproving partial discontinuance of service on the portion of Line 48-Quintara/24th Street known as "The Foundation Loop"; Hoffman Avenue Between 24th and 25th Streets, 25th, Foundation and 24th Streets, between Foundation and Hoffman; companion measure to File 7-92-6. (Public Utilities Commission) Scheduled for Public Hearing before Board on September 21, 1992 at 3:00 p.m.

File 25-92-29. [Contracting Out City Services] Concurring with the Controller's certification that uniformed security services can be practically performed for the Public Utilities Commission by a private contractor for a lower cost than similar work services performed by City and County employees. (Public Utilities Commission) Finance

File 25-92-30. [Contracting Out City Services] Concurring with the Controller's certification that maintenance services for facilities of the Department of Parking and Traffic can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Department of Parking and Traffic) Finance

File 25-92-31. [Contracting Out City Services] Concurring with the Controller's certification that security services for facilities of the Department of Parking and Traffic can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Department of Parking and Traffic) Finance

File 146-92-66. [Grant - State Fund] Authorizing the Department of Public Health, Community Public Health Services, to apply for a grant of $630,399, which includes indirect costs in the amount of $30,580, based on twenty percent of salaries from the Federal Bureau of Health Care Delivery Assistance, for linked primary care and substance abuse services; providing for ratification of action previously taken. (Department of Public Health) Finance

File 172-92-12. [Contract] Approving the contract between the City and County of San Francisco, Department of Public Health, and Health Management Systems, Inc., to provide retroactive claims reprocessing services. (Department of Public Health) Finance.

File 172-92-13. [Contract] Approving the modification of the contract between the City and County of San Francisco, Department of Public Health, and HHL Financial Services, Inc., to provide uncompensated care recovery services. (Department of Public Health) Finance.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that letter be sent to his Honor, the Mayor, urging him to launch a "Take Back Our Parks Campaign" throughout San Francisco which involves the Recreation and Park Department and all law enforcement agencies in assuring that San Francisco parks are well patrolled by police and recreation supervisor attendants and gardeners receive immediate response from the police regarding public safety concerns.

By Supervisor Gonzalez, that letters be sent to Speaker Willie Brown and Assemblyman John Burton urging them to introduce legislation that would include neighborhood parks in drug free zones.

By Supervisor Kennedy, that City Attorney prepare ordinance which would amend Administrative Code Sections 10.213, E. 4. (a) thru (d) to require all City contracts with companies who do not sign the declaration of compliance with the South Africa divestiture ordinance be reviewed and approved by the Board of Supervisors.

By Supervisor Kennedy, that letters be sent to the Director of Real Estate, Director of Public Works and City Attorney urgently requesting prompt attention be given to request to prepare legislation to accept Progress Street, so that residents on this street may register to vote before October 5, 1992.

By Supervisor Kennedy, that letter of inquiry be sent to General Manager, Recreation and Park Department, concerning the Raymond Kimbell Playground, to determine whether the dangerous and hazardous condition caused by storage of toxic materials in torn bags can be removed or placed in an area not accessible by the general public.

By Supervisor Kennedy, that letter be sent to Executive Director, Parking and Traffic Department, to determine the feasibility of installing a Stop sign on Fillmore and O'Farrell Streets.

By Supervisor Kennedy, that Budget Analyst be requested to perform management audit on the San Francisco Housing Authority as soon as possible.

By Supervisor Kennedy, that letter be sent to Director, San Francisco Housing Authority requesting copy of all reports relevant to the Housing and Urban Development's (HUD) recent report on the Housing Authority.

By Supervisor Shelley, that letter be sent to his Honor, the Mayor, urging him to continue his efforts to put together a proposal to keep the Giants in San Francisco.

By Supervisor Maher, that City Attorney prepare appropriate legislation concerning judgments/settlements in cases of racial or sexual harassment or discrimination.

By Supervisor Gonzalez, that letters be sent to the City Attorney and District Attorney requesting review of document entitled "Arts Advocacy Consortium Six Month Progress Report".

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Ruth Mae Green (Supervisor Kennedy)
Louise Harvey (Supervisor Kennedy)
Terry Hamid (Supervisor Gonzalez)
James Roy McGee (Supervisor Hallinan)

File 2-92-36

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:52 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on MAR 1 5 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 87 No. 37

Monday, September 14, 1998

Journal of Proceedings Board of Supervisors

City and County of San Francisco

Vol. 87 No. 37

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Monday, September 14, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, September 14, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:19 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Conroy, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Noted absent at first roll call:

Supervisors Alioto, Britt, Hsieh, Maher, Migden - 5.

Quorum present.

Supervisor Alioto excused, on official leave of absence.

Supervisor Britt was noted present at 2:20 p.m.

Supervisor Hsieh was noted present at 2:20 p.m.

Supervisor Maher was noted present at 2:30 p.m.

Supervisor Migden excused, on official leave of absence.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance amending the Annual Appropriation Ordinance for fiscal fear 1992-93, File No. 101-92-2, Ordinance No. 249-92, giving effect to revenue changes pursuant to Charter Section 6.208 and adjusting appropriations to meet the requirements of the Art Commission and the Airport pursuant to Charter Section 6.400, as a pre-requisite to levy a tax pursuant to Charter Section 6.208. (Controller)

File 101-92-2.2, Ordinance No. 294-92

Finally passed.

[Tax Rate Setting]
Ordinance providing revenue and levying taxes for City and County purposes for the fiscal year ending June 30, 1993. (Controller)

File 74-92-1, Ordinance No. 290-92

Finally passed.

[Tax Rate Setting]
Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1993. (Controller)

File 74-92-2, Ordinance No. 291-92

Finally passed.

[Tax Rate Setting]
Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1993. (Controller)

File 74-92-3, Ordinance No. 292-92

Finally passed.

Adopted

[Grant - State Funds]
Resolution authorizing the Executive Director of the Department of Parking and Traffic to accept and expend a grant in the amount of $263,000 of Proposition 116 funds for the Commuter Bikeway Improvement Program, foregoing reimbursement of indirect costs. (Department of Parking and Traffic)

File 192-92-6, Resolution No. 815-92

Adopted.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]
Ordinance authorizing settlement of Roger Varela against BPS Guard Services, Inc., et al., upon receipt of the sum of $10,000 and dismissal of complaint. (City Attorney)

File 46-92-17, Ordinance No. 288-92

(Superior Court No. 926-684.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Barbara Jones, et al., against Donald R. Cohen, et al., upon receipt of the sum of $1,750 and release of lien. (City Attorney)

File 46-92-18, Ordinance No. 289-92

(Superior Court No. 927-124.)

Finally passed.

Passed for Second Reading

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of San Francisco Taxpayers' Association against the Board of Supervisors by payment of $50,000. (City Attorney)

File 45-92-46, Ordinance No.

(Superior Court No. 901-018.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of LeBeauf, et al against the City and County by payment of $13,000. (City Attorney)

File 45-92-47, Ordinance No.

(Municipal Court No. 030-701.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of State Compensation Insurance Fund against the City and County by payment of $17,490.60. (City Attorney)

File 45-92-48, Ordinance No.

(Superior Court Nos. 866-527, 896-074 and 921-128.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of City and County against Anthony Walker and Gary Walker for $5,000 to be paid to the General Fund. (City Attorney)

File 46-92-16, Ordinance No.

(Superior Court No. 941-919.)

Passed for second reading.

Adopted

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of State Farm Insurance Co., by payment of $6,379.46. (City Attorney)

File 48-92-20, Resolution No. 799-92

Adopted.

[State Disability Insurance]
Resolution authorizing enrollment of Classification 8162 Rent Board Hearing Officers, in the State Disability Insurance Program. (Employee Relations Division)

File 89-92-15, Resolution No. 804-92

Adopted.

[State Disability Insurance]
Resolution authorizing enrollment of Classification A894 Wastewater Control Inspector, in the State Disability Insurance Program. (Employee Relations Division)

File 89-92-16, Resolution No. 805-92

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley - 8.

Absent: Supervisors Alioto, Maher, Migden - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

[Contract]
Ordinance authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with California Youth Authority for diagnostic and treatment services and temporary detention not to exceed ninety days; providing for ratification of action previously taken. (Juvenile Probation Department)

File 172-92-10, Ordinance No. 814-92

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley - 8.

Absent: Supervisors Alioto, Maher, Migden - 3.

Recommendation of Finance and City Services Committees

Finally Passed

[Telecommunications Facilities]
Ordinance amending Administrative Code, to assign responsibility to the General Manager of the Department of Electricity for planning, designing, maintaining and coordinating an improved telecommunications program for departments, boards and commissions of the City and County; General Manager to provide detailed action plan to the Board of Supervisors. (Supervisor Gonzalez)

File 97-92-35, Ordinance No. 293-92

(Adds Chapter 22B.)

Finally passed by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Maher, Migden - 4.

From Economic and Social Policy without Recommendation

Finally Passed

[Vacation of subsurface street areas]
Ordinance ordering vacation of certain subsurface street areas in the Yerba Buena Center Redevelopment Project Area in that portion bounded by Mission, Howard, Fourth and Third Streets; rescinding previous street vacation ordinance in order to correct an error in the description of the areas to be vacated and to clarify the intention of the Board of Supervisors that no easements for the facilities of utilities in the vacated areas shall be reserved, and finding that the vacation is consistent with the eight priority policies of City Planning Code Section 101.1. (Real Estate Department)

File 164-92-1.1, Ordinance No. 295-92

Finally passed by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Street Vacation - Conveyance]
Ordinance ordering vacation of a portion of Keith Street located between Newcomb and La Salle Avenues, and authorizing conveyance thereof to the owner of the abutting property (San Francisco Redevelopment Agency); and finding such actions are in conformity with the master plan. (Real Estate Department)

File 164-92-2.1, Ordinance No. 296-92

Finally passed by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Fees]
Ordinance amending Administrative Code, authorizing the Juvenile Probation Department to charge fees for certain services and documents. (Juvenile Probation Department)

File 97-92-50, Ordinance No.

(Adds Sections 8.36 and 8.36-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Marine Terminal Agreement]
Ordinance approving First Amendment to Marine Terminal Agreement with Evergreen Marine Corporation allowing a fifty percent sharing of demurrage revenue. (Port Commission)

File 173-92-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

Adopted

[Airport Financing Grant - Federal Funds]
Resolution authorizing Airports Commission to file application and accept and expend grant of $11,885,183 from Federal Aviation Administration for assistance in improvement at the Airport (A.I.P. No. 14); placing $10,399,433 on reserve. (Airports Commission)

File 27-92-8, Resolution No. 800-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Hold Harmless Agreement]
Resolution authorizing the Airports Commission to enter into hold harmless agreements with Oliver de Silva, Inc., for completion of work in contaminated areas. (Airports Commission)

File 27-92-9, Resolution No. 801-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Presidio Planning - Department]
Resolution authorizing the Director of Planning to apply for, accept and expend funds from the National Park Service not to exceed $160,054 for a period of thirteen months for Presidio planning, including ten percent for indirect costs; and ratifying actions previously taken. (Department of City Planning)

File 134-92-2, Resolution No. 809-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Grant - Federal Funds]
Resolution authorizing Director of Public Works to execute the necessary documents to apply for, accept and expend up to $1,000,000 in Federal funds for curb ramp construction; placing $904,382 on reserve. (Department of Public Works)

File 148-92-6, Resolution No. 811-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Grant - State Funds]
Resolution authorizing Director of Public Works, Bureau of Architecture, to accept and expend four hazard mitigation grants of $1,862,000, $1,400,000, up to $500,000 and $1,209,500 from the California State Office of Emergency Services in behalf of Federal Emergency Management Agency (FEMA); waiving indirect costs; placing $4,798,964 on reserve. (Department of Public Works)

File 148-92-7, Resolution No. 812-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Lead Based Paint Abatement Grant Program]
Resolution authorizing the Mayor to apply for a grant for lead-based paint abatement from the U.S. Department of Housing and Urban Development for a total amount not to exceed six million dollars ($6,000,000) for a program authorized under the Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1992, Public Law Number 102-139; $600,000 of indirect costs associated with the acceptance of these grant funds is included in the application budget. (Supervisor Shelley)

File 68-92-10, Resolution No. 803-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Grant - Private and State Funds]
Resolution authorizing the Department of Public Health, as subgrantee, in collaboration with the State Department of Mental Health, Children, Youth and Families Branch, as primary grantee, to accept and expend retroactively, a two year extension grant from the Robert Wood Johnson Foundation of $475,569 with $1,050,000 of matching funds from the primary grantee for a total of $1,525,569, which includes indirect costs in the amount of $56,749 based on nine percent of salaries and other allowable costs, from the Robert Wood Johnson Foundation and indirect costs of ten percent from the State Department of Mental Health for the provision of a system of care for children and youth who are seriously emotionally disturbed and their families. (Department of Public Health)

File 146-92-65, Resolution No. 810-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Indemnification Agreement]
Resolution authorizing the Mayor to execute an agreement with local investors whereby the City would indemnify local investors against their liability for claims arising out of their participation in

attempting to purchase and retain in San Francisco the Giants franchise. (Supervisor Maher)

File 252-92-3, Resolution No.

(September 8, 1992 - Referred to Finance Committee with direction to report back to the Board on September 14, 1992.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Alioto, Migden - 2.

Recommendations of Administration and Oversight Committee

Adopted

[Appointments]
Resolution appointing members to the Park and Open Space Advisory Committee. (Administration and Oversight Committee)

File 92-91-27, Resolution No. 807-92

(Christine Schneider, vice Hilary Lamar, term expired, for the unexpired portion of the two-year term ending July 15, 1993;

Deborah Gellarman, vice Dan Hodapp, term expired, for the unexpired portion of the term ending July 15, 1994;

Claire Isaacs, vice Nancy Larsen, term expired, for the unexpired portion of the two-year term ending July 15, 1994;

Jill Lerner Hallinan, vice herself, term expired, for the two-year term ending July 15, 1994.)

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Appointment]
Resolution appointing member to the Delinquency Prevention Commission. (Administration and Oversight Committee)

File 92-92-2.2, Resolution No. 806-92

(Karen Jo Koonan, vice Diane Flannery, resigned, for unexpired portion of term ending December 31, 1992.)

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

Consideration Continued

[Appointment]
Resolution appointing member to the Assessment Appeals Board. (Administration and Oversight Committee)

File 92-92-30, Resolution No.

(Thomas P. Brady, vice himself, regular member, term expired, for three-year term ending September 7, 1995.)

Supervisor Hsieh, seconded by Supervisor Maher, moved to continue consideration to September 28, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

Adopted

[Memorandum of Understanding]
Resolution ratifying and approving amendment of 1991-95 Memorandum of Understanding with Transport Workers Union of America, AFL-CIO and Transport Workers Union, Local 250-A (for 9163 Transit Operators). (Employee Relations Division)

File 93-92-32, Resolution No. 808-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

[Legal Authorization to Sue]
Resolution authorizing Tax Collector Attorney to institute legal proceedings for the recovery of value rendered at hospital facilities operated by the Department of Public Health. (Tax Collector)

File 166-92-4, Resolution No. 813-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

Recommendation of City Service Committee

Adopted

[Prop. J Children's Services Plan Amendment]
Resolution amending Resolution No. 196-92, approving the Prop. J Children's Services Plan, by approving an amendment to the plan, as submitted by the Library, which would alter the plan to increase children's access to library services by extending the hours of children's services at various library locations not currently open on Saturdays to test the feasibility of Saturday hours for children and families, and by increasing recommended allocations for story-telling and the circulation of reading materials. (Supervisors Achtenberg, Kennedy, Alioto, Shelley)

File 185-92-2, Resolution No. 817-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

SPECIAL ORDER 3:00 P.M.

Hearing Held; Closed

[Public Hearing]
Hearing of persons interested in or objecting to adopting regulations governing expenditures of monies contributed by sponsors of large-scale office and hotel developments to the affordable child care fund.

File 213-92-1

The following persons were granted privilege of the floor:

Eunice Elton:
Nancy Kitz;
E. Dominquez;
Dehnert Queen;
Jim Kennedy;
Yori Wada.

Adopted as Amended

[Adoption of Childcare Fund Regulations]
Resolution adopting regulations governing expenditures of monies contributed by sponsors of large-scale office and hotel developments to the affordable child care fund. (Supervisors Gonzalez, Achtenberg, Alioto, Hsieh, Shelley)

File 213-92-1, Resolution No. 816-92

Supervisor Achtenberg, seconded by Supervisor Gonzalez, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Conroy,Gonzalez, Hallinan, Hsieh, Kennedy, Shelley - 8.

Absent: Supervisors Alioto, Maher, Migden - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Migden - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;
Johnny King;
Robert Tocco.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Maher requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

[Voter Registration]
Resolution authorizing and directing Department Heads to assign personnel whose duties involve regular public contact to become deputized by the Registrar of Voters for the purpose of encouraging and conducting voter registration as a public service during regular working hours, and urging the Registrar of Voters to provide voter registration materials. (Supervisors Shelley, Hsieh)

File 60-92-10, Resolution No.

(September 8, 1992 - Introduced in Board for consideration September 14, 1992.)

Supervisor Maher, seconded by Supervisor Hsieh, moved to continue consideration to September 21, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Conroy, Migden - 4.

The Board resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference

Adopted

[Clean Water Month]
Resolution declaring the month of October 1992 as Clean Water Month. (Supervisor Shelley)

File 4-92-23, Resolution No. 797-92

(September 8, 1992 - Introduced in Board for consideration September 14, 1992.)

Adopted.

[Pacific Economic Cooperation Week]
Resolution declaring the week of September 21, 1992 Pacific Economic Cooperation Week. (Supervisor Shelley)

File 4-92-24, Resolution No. 798-92

(September 8, 1992 - Introduced in Board for consideration September 14, 1992.)

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Ashbury Street, for a street fair. (Supervisor Shelley)

File 42-92-42, Resolution No. 802-92

(Ashbury Street, between Page and Haight Streets, on Saturday, October 3, 1992 from 10:00 a.m. until 6:00 p.m.

(September 8, 1992 - Introduced in Board for consideration September 14, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Absent: Supervisor Achtenberg, Alioto, Conroy, Migden - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-37, Resolution No. 796-92

(Raymond Baxter, Director of Health, October 15 - 17; Barbara Cameron, member, Commission on the Status of Women, August 29 - September 7; Gordon Chin, member, Public Utilities Commission, September 12 - 13, 23 - 24, 25 and September 30 - October 1; Edward A. Chow, member, Health Commission, September 20 - 22; John E. Cribbs, Director, Department of Public Works, September 13 - 16; Bernard Crotty, member, Commission on the Aging, September 4 - 10; Michael Hardeman, member, Public Utilities Commission, September 8 - 9; Michael Huerta, Director, Port of

San Francisco, September 16 - 26; Karen Kai, member, Human Rights Commission, October 6 - 15; Edwin Lee, Director, Human Rights Commission, July 25 - 31 and September 16 - 23; Eugene Lumpkin, member, Human Rights Commission, September 3 - 8; Victor Makras, member, Public Utilities Commission, September 5 - 12 and 7 - 13; Lawrence martin, member, Human Rights Commission, September 8 - 12; Rudy Nothenberg, Chief Administrative Officer, September 28 - 29; Juanita Owens, member, Board of Permit Appeals, September 10 - 25; Rebecca Castaneda, member, Health Commission, October 16 - 26; Barbara Sklar, member, Art Commission, September 8 - October 18; L.A. Turpen, Director of Airports, September 4 - 12; Douglas Wong, President, Port Commission, September 16 - 20; James Yee, member, Film and Video Arts Commission, September 8 - 11, 1992.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Absent: Supervisor Achtenberg, Alioto, Conroy, Migden - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Street Closing]
Resolution authorizing temporary closing of a portion of McKinnon Avenue between Mendell and Lane Streets on Saturday, September 26, 1992, 11:00 a.m. until 6:00 p.m. for "Family Day" block party. (Supervisor Kennedy presented.) Referred to Board September 21, 1992 For Adoption Without Committee Reference Calendar.

File 42-92-44

Referred to Committee

[GAIN Program]
Resolution approving and authorizing submission of 1992-93 annual update of the San Francisco plan for the Greater Avenues for Independence (GAIN) Program to the State Department of Social Services. (Supervisor Kennedy presented.) Referred to Economic and Social Policy Committee.

File 107-92-2

[Street Artists]
Resolution designating twelve former temporary selling spaces on Market Street, south side, Sutter and Sansome Streets, and three former temporary selling spaces on Sutter Street, south side, at Market Street, as permanent (year-round) selling spaces for street artists certified by the Art Commission. (Supervisor Hallinan presented.) Referred to City Services Committee.

File 169-92-3

Motion

Referred to Board

[Retirement System Audit]
Motion directing the Budget Analyst to conduct a management audit of the Retirement System. (Supervisors Conroy and Hsieh presented.) Referred to Board September 21, 1992 For Adoption Without Committee Reference Calendar.

File 165-92-12

Request for Hearings:

File 97-92-54, By Supervisor Kennedy: To consider legislation that would amend the Administrative Code Chapter 12D to include trucking as subcontracting industry; amending Chapter 12D.9 which requires every Public Works contract to contain language for the utilization of certified Minority Business Enterprise/Women Business Enterprise (MBE/WBE) trucking firms as subcontractors, and to set contracting goal for the use of MBE/WBE trucking firms on Public Works projects. Referred to Economic and Social Policy Committee.

File 100-92-6, By Supervisor Hallinan: To consider a review of the City's General Fund expenditures and policy on the use of city owned employee cars. Referred to Finance Committee.

File 205-92-3, By Supervisor Hallinan: To consider a "Voluntary Release" program for employees of the City and County of San Francisco as a cost saving item for this year's revised budget. Referred to Finance Committee.

File 217-92-12, By Supervisor Shelley: To consider San Francisco's urban environment, including the progress in implementing the litter abatement program adopted by the Board of Supervisors, proposals to reduce graffiti, and the status of urban forestry in San Francisco. Referred to Finance Committee.

File 253-92-1, By Supervisor Gonzalez: To consider implementing recommendations of the Prevention Focus Group in the Workers Compensation Task Force report dated January 6, 1992; specifically the creation of an office of Health and Safety, with "the authority to develop and issue occupational health and safety policies". Referred to City Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that a letter be sent to the Mayor urging him to release the $750,000 from the baseline children services budget to ensure immediate implementation of the Mayor's Youth Employment and Education Program (MYEEP) to prevent layoffs from many non-profit agencies.

By Supervisor Kennedy, that the City Attorney prepare legislation amending the Administrative Code Sections 12D and 12D.9 to include trucking as subcontracting industry; amending Chapter 12D.9 which requires every Public Works contract to contain language for the utilization of certified MBE/WBE trucking firms as subcontractors, and to set contracting goal for the use of MBE/WBE trucking firms on Public Works projects.

By Supervisor Kennedy, that a letter be sent to the Executive Director, Parking and Traffic Commission inquiring as to the status of parking permits at the William R. DeAvila Elementary School and whether or not it is possible to revise the number of parking permits issued from "10" to meet the needs of the staff at SFUSD school sites.

By Supervisor Shelley, that a letter be sent to the Mayor seeking an update on implementation of recommendations contained in the Workers Compensation Task Force Report.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Amy Roosevelt (Supervisor Britt)
Hornell Colton (Supervisor Kennedy)
Charlotte C. Hogan (Supervisor Kennedy)
George Hayes (Supervisor Kennedy)

File 2-92-37

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:14 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on APR 19 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Vol. 87 No. 38

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Monday, September 21, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, September 21, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:15 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hsieh, Maher, Migden, Shelley - 7.

Noted absent at first roll call:

Supervisors Achtenberg, Conroy, Hallinan, Kennedy - 4.

Quorum present.

Supervisor Achtenberg was noted present at 2:16 p.m.

Supervisor Conroy was noted present at 2:17 p.m.

Supervisor Hallinan was noted present at 2:16 p.m.

Supervisor Kennedy was noted present at 2:16 p.m.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Kennedy requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Consideration Continued

[Contracting Out City Services]
Resolution concurring with the Controller's certification that uniformed security services can be practically performed for the Public Utilities Commission by a private contractor for a lower cost than similar work services performed by City and County employees. (Public Utilities Commission)

File 25-92-29, Resolution No.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to continue consideration to September 28, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Supervisor Gonzalez requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of San Francisco Taxpayers' Association against the Board of Supervisors by payment of $50,000. (City Attorney)

File 45-92-46, Ordinance No. 298-92

(Superior Court No. 901-018.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Fees]
Ordinance amending Administrative Code, authorizing the Juvenile Probation Department to charge fees for certain services and documents. (Juvenile Probation Department)

File 97-92-50, Ordinance No. 302-92

(Adds Sections 8.36 and 8.36-1.)

Finally passed

[Marine Terminal Agreement]
Ordinance approving First Amendment to Marine Terminal Agreement with Evergreen Marine Corporation allowing a fifty percent sharing of demurrage revenue. (Port Commission)

File 173-92-2, Ordinance No. 303-92

Finally passed.

Adopted

[Contracting Out City Services]
Resolution concurring with the Controller's certification that maintenance services for facilities of the Department of Parking and Traffic can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Department of Parking and Traffic)

File 25-92-30, Resolution No. 828-92

Adopted.

[Contracting Out City Services]
Resolution concurring with the Controller's certification that security services for facilities of the Department of Parking and Traffic can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Department of Parking and Traffic)

File 25-92-31, Resolution No. 829-92

Adopted.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of LeBeauf, et al against the City and County by payment of $13,000. (City Attorney)

File 45-92-47, Ordinance No. 299-92.

(Municipal Court No. 030-701.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of State Compensation Insurance Fund against the City and County by payment of $17,490.60. (City Attorney)

File 45-92-48, Ordinance No. 300-92

(Superior Court Nos. 866-527, 896-074 and 921-128.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of City and County against Anthony Walker and Gary Walker for $5,000 to be paid to the General Fund. (City Attorney)

File 46-92-16, Ordinance No. 301-92

(Superior Court No. 941-919.)

Finally passed.

Recommendations of Economic and Social Policy Committee

Adopted

[Stop Intersections]
Resolution designating certain intersections as "Stop" Intersections. (Economic and Social Policy Committee)

File 18-92-11, Resolution No. 825-92

(Stop Signs - Establish
Cambridge and Bacon Streets, northeast and southwest corners, stopping Bacon Street traffic;

Tiffany and Valencia Streets, southwest corner, stopping Tiffany Street traffic;

Broadmoor and Winston Drives, southeast corner, stopping Broadmoor Drive traffic;

Denslowe Drive and Holloway Avenue, southeast corner, stopping Denslowe Drive traffic;

Holloway Avenue and Stratford Drive, northwest corner, stopping Stratford Drive traffic;

Stonecrest and Winston Drives, northwest corner, stopping Stonecrest Drive traffic;

Grove and Lyon Streets, northeast and southwest corners, stopping Grove Street (makes this an all-way Stop);

Grove and Central Streets, northeast and southwest corners, stopping Grove Street traffic (makes this an all-way Stop);

Burnett Avenue and Gardenside Drive, northeast and southwest corners, stopping Burnett Avenue traffic (makes this an all-way Stop);

25th and Capp Streets, northeast and southwest corners, stopping 25th Street traffic (makes this an all-way Stop);

16th Avenue and Anza Street, northwest and southeast corners, stopping 16th Avenue traffic (makes this an all-way Stop);

Broderick and Greenwich Streets, northeast and southwest corners, stopping Greenwich Street traffic (makes this an all-way Stop);

Bosworth and Lyell Streets, northeast and southwest corners, stopping Bosworth Street traffic (makes this an all-way Stop);

Brook Street and San Jose Avenue, southeast corner, stopping Brook Street traffic;

Williams Avenue and Phelps Street, southeast corner, stopping Phelps Street traffic (makes this an all-way Stop).

Adopted.

[Parking Regulations]
Resolution enacting parking regulations on various streets. (Economic and Social Policy Committee)

File 19-92-10, Resolution No. 826-92

(Perpendicular (90-degree angle) Parking - Establish Wisconsin Street, west side, between 22nd and Madera Streets.)

Adopted.

[Traffic Regulations]
Resolution enacting traffic regulations on various streets. (Economic and Social Policy Committee)

File 20-92-11, Resolution No. 827-92

(Right Turn Only - Establish
Brook Street, northbound, at San Jose Avenue.

No Left Turn, Except Muni - Establish
Church Street, southbound, at Market Street.

No U-Turn - Establish
Phelan Avenue, northbound, at San Francisco City College driveway (approximately 100 feet north of Ocean Avenue).

Tow-Away No Stopping 7 AM - 8 AM Everyday - Establish
4th Street, west side, 98 feet northerly from Howard Street.)

Adopted.

[Parking of Vehicles]
Resolution extending the boundaries of Residential Permit Parking Area "R" in the Cleary Court area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-92-6, Resolution No. 830-92

Adopted.

[Parking of Vehicles]
Resolution extending the boundaries of Residential Permit Parking Area "D" in the Glen Park area; and adding Milton Street, between San Jose Avenue and Bosworth Street, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-92-7, Resolution No. 831-92

Adopted.

[Parking of Vehicles]
Resolution extending the boundaries of Residential Permit Parking Area "O" in the West Portal/St. Francis Wood area and adding 18th Avenue, between Santiago and Rivera Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-92-8, Resolution No. 832-92

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Joint Economic and Social Policy and City Services Committee

Adopted as Amended

[Pilot Disadvantaged and High Risk Youth Employment Program] ((Resolution urging the Mayor to establish a pilot Disadvantaged and High Risk Youth Employment Program that would coordinate year-round disadvantaged and high risk youth employment services in the City of San Francisco for youth between the ages 16-25, and requesting that the Board of Supervisors receive on July 1, 1993, a report describing and evaluating the success of the City in establishing, funding and maintaining a Disadvantaged and High Risk Youth Employment Program during fiscal year 1992-93.)) (Supervisors Kennedy, Gonzalez, Hsieh, Achtenberg, Shelley, Conroy, Hallinan, Migden)

Resolution urging the Mayor to establish a pilot Disadvantaged and High Risk Youth Employment Program that would coordinate year-round disadvantaged and high risk youth employment services in the City of San Francisco for youth between the ages 16-25 and requesting that the Board of Supervisors receive within 60 days after the fiscal year 1992-93. a report describing and evaluating the success of the City in establishing, funding and maintaining a Disadvantaged and High Rish Youth Employment Program during fiscal year 1992-93.

File 250-92-1, Resolution No. 856-92

Supervisor Kennedy, seconded by Supervisor Hallinan, moved an amendment of the whole entitled, "Resolution urging the Mayor to establish a pilot Disadvantaged and High Risk Youth Employment Program that would coordinate year-round disadvantaged and high risk youth employment services in the City of San Francisco for youth between the ages 16-25, and requesting that the Board of Supervisors receive on July 1, 1993, a report describing and evaluating the success of the City in establishing, funding and maintaining a Disadvantaged and High Risk Youth Employment Program during fiscal year 1992-93; creating a Task Force on Youth Employment."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy,Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to amend the amendment of the whole by amending page one, line six, by replacing "July 1, 1993" with "within 60 days after the end of fiscal year 1992-1993"; and on page three, line 21, replace "July 1, 1993" with "within 60 days after the end of fiscal year 1992-1993".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to further amend page four, line 19, by adding "Further Resolved, That the Task Force on Youth Employment come up with guidelines for a Comprehensive Youth Employment Program within 60 days of its appointment.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Tropical Hardwoods Contract Language Exemption]
Ordinance amending Administrative Code, which requires every contract to contain a statement urging companies not to import, purchase, obtain, or use for any purposes, any tropical hardwood or tropical hardwood product to exclude contracts with public entities for the provision of water or power. (Public Utilities Commission)

File 97-92-51, Ordinance No.

(Amends Section 12I.5.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Tropical Hardwoods Waiver]
Ordinance authorizing execution of the contract for the conveyance of water from the 1992 California Drought Emergency Water Bank; authorizing execution of the agreement for wheeling exchange water

from San Luis Reservoir to City of San Francisco; and waiving requirement of Section 12I.5(b) of the Administrative Code that every contract shall contain a statement urging companies not to use tropical hardwoods or tropical hardwood products. (Supervisor Migden)

File 172-92-11, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Adopted

[Household Hazardous Waste Grant]
Resolution authorizing the Chief Administrative Officer to apply for up to $95,000 in Household Hazardous Waste Grant funding from the California Integrated Waste Management Board (CIWMB); waiving indirect costs. (Chief Administrative Officer)

File 133-92-3, Resolution No. 834-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Grant - State Funds]
Resolution authorizing the Chief Administrative Officer to apply for, retroactively, $1,341,000 from the Transportation Fund for clean air in the Bay Area for programs and projects to reduce air pollution from motor vehicles; waiving indirect costs. (Supervisor Britt)

File 133-92-4, Resolution No. 835-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Grant - State Fund]
Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for a grant of $630,399, which includes indirect costs in the amount of $30,580, based on twenty

percent of salaries from the Federal Bureau of Health Care Delivery Assistance, for linked primary care and substance abuse services; providing for ratification of action previously taken. (Department of Public Health)

File 146-92-66, Resolution No. 836-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Contract]
Resolution approving the contract between the Department of Public Health, and Health Management Systems, Inc., to provide retroactive claims reprocessing services; ratifying action previously taken. (Department of Public Health)

File 172-92-12, Resolution No. 837-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Contract]
Resolution approving the modification of the contract between the Department of Public Health and HHL Financial Services, Inc., to provide uncompensated care recovery services. (Department of Public Health)

File 172-92-13, Resolution No. 838-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Recommendations of City Services Committee

Adopted

[Permit]
Resolution granting revocable permission to San Francisco

Redevelopment Agency (Yerba Buena Center) to construct two pedestrian bridge columns on the south side of Howard Street approximately 216 feet east of Fourth Street fronting 747 Howard Street (Block 3734, Lot 91); and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-92-3, Resolution No. 823-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 10.

Noes: Supervisor Maher - 1.

[Permit]
Resolution granting revocable permission to San Francisco Redevelopment Agency to construct a median island and irrigation pipe crossing on Mission Street between Third and Fourth Streets; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-92-4, Resolution No. 824-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 10.

Noes: Supervisor Maher - 1.

[Ohlone Way - Official Street]
Resolution approving the designation of an unnamed street in the Glen Park area of San Francisco to be officially named "Ohlone Way". (Supervisor Maher)

File 75-92-1, Resolution No. 853-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[San Francisco Estuary Project]
Resolution acknowledging the importance of the San Francisco Estuary Project, and encouraging all interested members of the environmental community to attend the September 24, 1992 hearing, at Fort Mason, on the details of the draft Comprehensive Conservation and Management Plan for the project, and to comment on the draft plan. (Supervisors Shelley, Achtenberg, Hsieh, Migden)

File 256-92-1, Resolution No. 839-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Adopted as Amended

[Briones Plaque at Washington Square Park]
Resolution urging the Mayor to urge the Recreation and Park Commission to reconsider the placement of a plaque in Washington Square Park to honor Juana Briones, the preeminent woman of the Hispanic period of California History. (Supervisors Gonzalez, Achtenberg, Hsieh)

File 289-92-1, Resolution No. 840-92

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of all persons interested in the recommendation of the Public Utilities Commission for abandonment of express portion of Municipal Railway Line 48-Quintara/24th Street known as "The Fountain Loop".

File 7-92-6

(Proposed abandonment is as follows: Hoffman Avenue between 24th and 25th Streets, 25th Street, Fountain Street and 24th Street between Fountain and Hoffman.)

The President inquired if there was anyone present desiring to speak.

The privilege of the floor was granted to the following persons:

Jerry Reagan;
Barbara Kushman;
Consuelo Perez.

From Public Utilities Commission

Adopted

(Only one of the following two motions should be adopted.)

[Public Transportation]
Resolution approving partial discontinuance of service on portion of Municipal Railway Line 48-Quintara/24th Street known as "The Fountain Loop".

File 7-92-6, Resolution No. 822-92

Supervisor Maher, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Tabled

[Public Transportation]
Resolution disapproving partial discontinuance of service on portion of Municipal Railway Line 48-Quintara/24th Street known as "The Fountain Loop".

File 7-92-6.1, Resolution No.

Supervisor Kennedy, seconded by Supervisor Achtenberg, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Noes: Supervisor Britt - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Eugene Gordon;
Geraldine Johnson;
Dehnert Queen;
Rodney Talovich.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

(The following three items were considered separately.)

Referred to Committee

[Voter Registration]
Resolution authorizing and directing Department Heads to assign personnel whose duties involve regular public contact to become deputized by the Registrar of Voters for the purpose of encouraging and conducting voter registration as a public service during regular working hours, and urging the Registrar of Voters to provide voter registration materials. (Supervisors Shelley, Migden)

File 60-92-10, Resolution No.

At the request of Supervisor Maher, referred to Administration and Oversight Committee.

Adopted

[Street Closing]
Resolution authorizing temporary closing of a portion of McKinnon Avenue for "Family Day" block party. (Supervisor Kennedy)

File 42-92-44, Resolution No. 833-92

(McKinnon Avenue between Mendell and Lane Streets on Saturday, September 26, 1992, 11:00 a.m. until 6:00 p.m.)

(September 14, 1992 - Introduced in Board for consideration September 21, 1992.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Referred to Committee

[Retirement System Audit]
Motion directing the Budget Analyst to conduct a management audit of the Retirement System. (Supervisors Conroy, Hsieh, Migden)

File 165-92-12

(September 14, 1992 - Introduced in Board for consideration September 21, 1992.)

At the request of Supervisor Maher, referred to Administration and Committee.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-38, Resolution No. 819-92

(Willie B. Kennedy, member, Board of Supervisors, September 18 - 20; Anne Halsted, member, Port Commission, September 16 - 19; James K. Ho,. member, Airports Commission, September 13 - October 1; Michael P. Huerta, Executive Director, Port of San Francisco, September 16 - 26; Patrick A. Murphy, President, Airports Commission, September 15 - 17, 1992.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Street Closing]
Resolution authorizing temporary closing of a portion of Hampshire Street between 17th Street and Franklin Park Parking Lot on Saturday, October 3, 1992 from 10:00 a.m. until Saturday, October 4, 1992 at 6:00 p.m. for SGI USA Festival.

File 42-92-47, Resolution No. 820-92

Supervisor Shelley presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Varennes

Street between Union and Green Streets on Tuesday, September 22, 1992 from 7:00 a.m. until 10:00 p.m. for the filming of a motion picture by Committed Pictures.

File 42-92-48, Resolution No. 821-92

Supervisor Shelley presented for immediate adoption.

Adopted.

[Federal Funding]
Resolution approving a 1992-1993 expenditure plan for Refugee Employment Social Services funds and authorizing the President of the Private Industry Council of San Francisco, Inc. to sign, enter into, and execute the State Contract.

File 156-92-3, Resolution No. 818-92

Supervisor Gonzalez presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

EMERGENCY CALENDAR

Finally Passed

[St. Mary's Square Garage]
Ordinance authorizing the Parking Authority to award an interim, temporary operating agreement for operation of the St. Mary's Square Garage until such time as a public biding procedure for the long-term operation of such garage is completed; an emergency measure. (Supervisor Gonzalez)

File 47-92-6, Ordinance No. 297-92

(Pursuant to Charter Section 2.300, this item requires nine votes for passage.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Illegal Unit Amnesty]
Ordinance amending Part II, Chapter of the San Francisco Municipal Code (City Planning) by adding Section 207.3 to establish a 24-month amnesty period within which one dwelling unit in addition to those permitted in any RH-2, RH-3, RM, RC, NC, C or mixed use zoning district (which unit was constructed prior to January 1, 1992 without benefit of permit) may be legalized, by amending Section 161 to exempt legalized units from the parking requirements, and by adding Section 369 to impose a registration penalty; amending Article 37 of the San Francisco Administrative Code (Residential Rent Stabilization and Arbitration Ordinance) by amending Section 37.2 to make all legalized units subject to Rent Board jurisdiction; amending Part II, Chapter XII of the San Francisco Municipal Code (Housing Code) by amending Section 503 to provide that ceiling heights for legalized units are only required to meet the minimum requirements mandated by State law; amending Part II, Chapter I of the San Francisco Municipal Code (Building Code) by adding Section 109 to allow for exemptions from certain code requirements, amending Section 202 to provide that if a density violation is discovered after the expiration of the amnesty period the property owner shall be liable for the full costs incurred by the City in detecting and abating the violation, and amending Section 332.3 to exempt units legalized during the amnesty period from payment of the work without permit investigation fee; adopting findings pursuant to Planning Code Section 101.1. (Supervisor Hallinan presented.) Referred to Finance Committee.

File 115-92-12

Referred to Board

[State Ballot Measure]
Resolution opposing Proposition 166 revising the State's health care system. (Supervisor Shelley presented.) Referred to Board September 28, 1992 For Adoption Without Committee Reference Calendar.

File 12-92-39

[Street Closing]
Resolution authorizing temporary closing of a portion of Telegraph Hill Boulevard east of Grant Avenue on Monday, October 12, 1992 for the Columbus Day Celebration in the parking area of Coit Tower. (Supervisor Shelley presented.) Referred to Board September 28, 1992 For Adoption Without Committee Reference Calendar.

File 42-92-45

[Street Closing]
Resolution authorizing temporary closing of a portion of Missouri Street between 19th and 20th Streets on Saturday, October 17, 1992 from 9:00 a.m. until 6:00 p.m. for Fourth Annual Potrero Hill Festival. (Supervisor Shelley presented.) Referred to Board September 28, 1992 For Adoption Without Committee Reference Calendar.

File 42-92-46

Referred to Committee

[Groundlease of Redevelopment Agency Land]
Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of the land at Assessor's Block 3726, Lots 13 and 15, commonly known as 1028 Howard Street, to 1028 Howard Street Associates, a California Limited Partnership for 99 years for the purpose of developing a housing project for very low and low income households. (Supervisor Gonzalez presented.) Referred to Finance Committee with request that it be considered at the October 7, 1992 meeting.

File 161-92-6

Referred to Board

[Renaming Civic Auditorium]
Resolution renaming the Civic Auditorium to Bill Graham Auditorium. (Supervisor Gonzalez presented.) Referred to Board September 28, 1992 For Immediate Adoption Calendar.

File 259-92-1

Referred to Committee

[Removal of Funds from Bank of America]
Resolution urging the transfer of two city remittance banking accounts from the Bank of America, urging the transfer of City revolving banking accounts from the Bank of America, urging that Bank of America not be used for the City's proposed direct payroll deposit program, and urging all officers and employees of the City and County when given the opportunity to utilize the services of a financial institution for the City to consider the use of financial institutions other than the Bank of America. (Supervisor Achtenberg presented.) Referred to Finance Committee.

File 260-92-1

Referred to Board

[Heritage Foundation]
Resolution encouraging the efforts of the Foundation for architectural heritage to survey San Francisco's Structures.

(Supervisor Maher presented.) Referred to Board September 28, 1992 For Adoption Without Committee Reference Calendar.

File 261-92-1

Referred to Committee

[Saint Francis of Assisi Church]
Resolution urging preservation of the Saint Francis of Assisi Church. (Supervisor Alioto presented.) Referred to Economic and Social Policy Committee.

File 262-92-1

Request for Hearing:

File 127-92-8, By Supervisor Hallinan: To consider legislation amending Part III of the San Francisco Municipal Code by adding Section 502.7 in order to increase the City's Hotel Tax rate by one and a half percent from 11 to 12.5 percent by imposing a 1.5 percent surcharge. Referred to Finance Committee with request it be considered at the September 30, 1992 budget meeting.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-92-55. [Settlement of Litigation] Authorizing settlement of litigation of Patricia F., et al., against the City and County of San Francisco. (City Attorney) Administration and Oversight

File 45-92-56. [Settlement of Litigation] Authorizing settlement of litigation of Kwok-Keung Yan against the City and County of San Francisco by payment of $7,000. (City Attorney) Administration and Oversight

File 46-92-19. [Settlement of Lawsuit] Authorizing settlement of litigation of City and County of San Francisco v. Frederick C. Kracke; companion measure to File 38-92-24. (City Attorney) Administration and Oversight

File 114-92-7. [Earthquake Safety Program] Amending Building Code, by amending Section 104(b) to provide that where a building permit application is filed on or after January 1, 1992 to repair a City-owned building under the Bond-Funded Public Safety Improvement Projects, the building's existing electrical, plumbing, mechanical, fire protection or life-safety systems are not required to comply with this code if the system complies with the code in effect at the time of its construction or installation, the system is safe to continue to operate, and the system is not relocated, altered for reuse, or expanded. (Department of Public Works) Economic and Social Policy

Resolutions Referred to Committee

File 10-92-6. [Permit] Granting revocable permission to Kaiser Foundation Hospital to realign the curb, construct a plaza and other related street improvements at the southwest corner of Geary Boulevard and St. Joseph's Avenue fronting 2425 Geary Boulevard (Assessor's Block 1095, Lot 19); and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works) City Services

File 28-92-10. [Emergency Repair] Authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace the damaged sanitary line serving the San Francisco Zoo's Terrace Cafe. (Department of Public Works) Finance

File 35-92-1. [Map Approval - Street Dedication] Approving map showing the widening of various streets in the "The Embarcadero Corridor Reconstruction Project Area"; declaring it to be open public street dedicated to public use; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works) City Services

File 38-92-24. [Acceptance of Gift] Accepting a gift of calligraphy donated by Frederick C. Kracke and Florence Phillips to be retained by the San Francisco Public Library; companion measure to File 46-92-19. (City Attorney) Administration and Oversight

File 47-92-5.1. [Reject/Award Management Bid] Rejecting bid of B. L. Hom Corporation in response for bids for management contract at Polk/Bush Garage and awarding said bid to City Parking as the lowest, responsive and responsible bidder. (Real Estate Department) Finance

File 64-92-23. [Lease of Property] Authorizing lease of real property from the Department of the Navy for use by the Police Department, Narcotics Division (warehouse space in Building 128 at Hunters Point Annex) for storage of confiscated automobiles. (Real Estate Department) Finance

File 89-92-17. [State Disability Insurance] Authorizing enrollment of Classification 9765 Assistant to Chief Administrative Officer VI in the State Disability Insurance Program. (Employee Relations Division) Administration and Oversight

File 89-92-18. [State Disability Insurance] Authorizing enrollment of Classification 5297 Planner V (Zoning) in the State Disability Insurance Program. (Employee Relations Division) Administration and Oversight

File 89-92-19. [State Disability Insurance] Authorizing enrollment of Classification 8155 Chief, Bureau of Investigation and Claims Administration, Office of the City Attorney in the State Disability Insurance Program. (Employee Relations Division) Administration and Oversight

File 146-92-26.1. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of $470,440, which includes indirect costs of $39,291, based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the evaluation and enhancement of HIV/AIDS Prevention Street and Community Outreach Programs that serve youth in high-risk situations project (also known as the Youth Scope Project); providing for ratification of action previously taken. (Department of Public Health) Finance

File 146-92-41.1. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of $1,444,565, which includes indirect costs in the amount of $158,044 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the Epidemiologic Research Studies of the Natural History of HIV/AIDS and HIV Incidence in Homosexual/Bisexual Men Recruited from the San Francisco Sexually Transmitted Disease Clinic (formerly known as the Epidemiologic Study of the Natural History of HIV/AIDS in Homosexual/Bisexual Men Previously Enrolled in Studies of Hepatitis B Infection). (Department of Public Health) Finance

File 146-92-67. [Grant - Federal Funds] Authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, Division of Tuberculosis Control, to apply for a grant of $2,453,034, which includes indirect costs in the amount of $244,869 based on twenty percent of salaries, from the Department of Health and Human Services, Centers for Disease Control, for the continuation of the following programs; Tuberculosis Prevention and Control/Elimination, and the HIV Related TB Prevention Program. (Department of Public Health) Finance

File 146-92-68. [Grant - Private Funds] Authorizing the Department of Public Health, Homeless Program, to apply for, accept and expend a grant of $100,000, from Comic Relief, for health services for homeless; providing for ratification of action previously taken; waiving indirect costs. (Department of Public Health) Finance

File 203-92-1. [Acceptance of Deed] Authorizing acceptance of a deed from Progress Seven, Inc. of Lot 5 (portion) in Assessor's Block 4711 public roadway purposes and finding such action is in conformity with the Master Plan. (Real Estate Department) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that the City Attorney draft the appropriate legislation to rename the Civic Auditorium to Bill Graham Auditorium. (File 259-92-1 to be considered September 28, 1992 For Adoption Without Committee Reference Calendar.)

By Supervisor Migden, that the City Attorney draft appropriate legislation for introduction in the California State Legislature which would authorize a pilot program establishing an/or Bail Commissioner in San Francisco.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Leon J. Davis (Supervisor Britt)
Ron Lee (Supervisor Britt)
Tony Lee Lindsay (Supervisors Britt, Migden, Achtenberg)
Edward Cook Lumpkin (Supervisor Kennedy)
Alfred Goldberg (Supervisor Hsieh)
Daniel R. Keenan (Supervisor Achtenberg)
Coulter Thomas (Supervisor Achtenberg)
Bob Walker (Supervisors Achtenberg, Britt, Migden)

File 2-92-38

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:32 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on APR 19 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 87 No. 39

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Monday, September 28, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, September 28, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Shelley - 7.

Noted absent at first roll call:

Supervisors Achtenberg, Kennedy, Maher, Migden - 4.

Quorum present.

Supervisor Achtenberg excused from attendance. (See infra.)

Supervisor Kennedy was noted present at 2:14 p.m.

Supervisor Maher was noted present at 2:13 p.m.

Supervisor Migden was noted present at 2:12 p.m.

Supervisor Achtenberg Excused

The Clerk announced that Supervisor Achtenberg requested to be excused from attending today's meeting because it is Rosh Hashana.

Supervisor Hsieh, seconded by Supervisor Hallinan, moved to excuse Supervisor Achtenberg from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Britt, Kennedy, Maher - 4.

COMMUNICATIONS

Date of Public Hearing Fixed

The Clerk presented a communication, dated September 28, 1992, from the Department of Public Health requesting the Board of Supervisors schedule the Bielenson hearing, pursuant to Health and Safety Code Section 1442.5, concerning proposed reductions in medical services for fiscal year 1992-93, on October 13, 1992 at 3:00 p.m.

File 30-92-9

No objection and Clerk directed to comply.

Presentation of Report by Mayor Postponed

The Clerk presented a communication, dated September 24, 1992, from his Honor, the Mayor, requesting that the time for presentation of the report on the condition of the affairs of the City and County be extended from October 5, 1992 to October 19, 1992 at 2:00 p.m.

File 88-92-1

No objection and request granted.

Presentation of Guests

Supervisor Maher introduced and welcomed Mr. Alexander Shvezov, one of several delegates from St. Petersburg, Russia, who are visiting our City to observe and learn about city government.

Privilege of the Floor

Supervisor Gonzalez introduced and welcomed a delegation of Guatamalean peace negotiators and moved, seconded by Supervisor Kennedy, to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Consul General Delores and to present letters of commendation to the members of the delegation.

No objection and privilege of the floor was extended to the Consul General and presentations made.

CONSENT CALENDAR

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Juanita Gittins against the City and County by payment of $6,500. (City Attorney)

File 45-92-50, Ordinance No.

(Superior Court No. 936-186.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Minerva Martin, et al., against the City and County by payment of $10,500. (City Attorney)

File 45-92-51, Ordinance No.

(Superior Court No. 887-405.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Albert Rubino against the City and County by payment of $7,000. (City Attorney)

File 45-92-52, Ordinance No.

(Municipal Court No. 069-293.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Patrick Michael Barnette against the City and County by payment of $15,000. (City Attorney)

File 45-92-53, Ordinance No.

(U.S. District Court No. C91-1894 WHO.)

Passed for second reading.

[Settlement of Litigation and Concession Lease Approval]
Ordinance approving settlement agreement and approving a two-year lease with Pon and Hom, Incorporated, to operate a snack bar concession at the music concourse in Golden Gate Park, San Francisco, California. (Recreation and Park Department)

File 45-92-54, Ordinance No.

(Superior Court No. 927-831.)

Passed for second reading.

Recommendations of Economic and Social Policy Committee

Adopted

[Stop Intersections]
Resolution designating certain intersections as "Stop" intersections. (Economic and Social Policy Committee)

File 18-92-12, Resolution No. 846-92

(Stop Signs - Establish
26th and Sanchez Streets, northwest and southeast corners, stopping Sanchez Street traffic (makes this an all-way Stop).

34th Avenue and Irving Street, northeast and southwest corners, stopping Irving Street traffic (makes this an all-way Stop).

Ocean Avenue and Clearfield Drive, northeast and southwest corners, stopping Ocean Avenue traffic (makes this an all-way Stop).

Adopted.

[Parking Regulation]
Resolution enacting parking regulations on Great Highway. (Economic and Social Policy Committee)

File 19-92-12, Resolution No. 847-92

(Tow-Away, No Parking Anytime - Establish
Great Highway, both sides, between Fulton Street and Sloat Boulevard.)

Adopted.

[Traffic Regulations]
Resolution enacting traffic regulations on various streets. (Economic and Social Policy Committee)

File 20-92-12, Resolution No. 848-92

(No Turn On Red - Establish
4th Street, southbound, at Howard Street.
Howard Street, westbound, at 4th Street.

Green Zone, 9 am - 4 pm, 6 pm - 9 pm - Extend Hours
1400 Guerrero Street, from 3 feet to 28 feet south of 26th Street (25-foot zone, currently 9 am - 4 pm).

Green Zone 9 am - 9 pm - Extend Hours
500 Kirkham Street, from 12 feet to 79 feet west of 9th Avenue (67-foot zone, currently 9 am - 6 pm).

Green Zone, 7 am - 7 pm - Extend Hours
2723 Van Ness Avenue, from 131 feet to 169 feet south of Lombard Street (38-foot zone, currently 9 am - 6 pm).

Green Zone, 8 am - 12 midnight - Extend Hours
Florida Street, west side, 22 feet south from Precita Avenue (22-foot zone, currently 9 am - 6 pm).

Tow-Away, No Stopping Anytime - Establish
Pacific Avenue, north side, 22 feet westerly from Sansome Street (22-foot zone).
Powell Street, east side, 20 feet northerly from Broadway (20-foot zone).
Bosworth Street, north side, from 40 feet east of Lyell Street to 120 feet west of Lyell Street (160-foot zone).
7th Street, west side, 110 feet northerly from Bryant Street (110-foot zone).)

Adopted.

[Parking of Vehicles]
Resolution extending the boundaries of Residential Permit Parking Area "P" in the Anza Vista/Beideman area; and adding Fulton Street, between Central Avenue and Lyon Street, both sides to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-92-9, Resolution No. 849-92

Adopted.

[Parking of Vehicles]
Resolution extending the boundaries of Residential Permit Parking Area "H" in the Lakeside area; and adding 19th Avenue, between Ocean Avenue and Sloat Boulevard, east side, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-92-10, Resolution No. 850-92

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Tropical Hardwoods Contract Language Exemption]
Ordinance amending Administrative Code, which requires every contract to contain a statement urging companies not to import, purchase, obtain, or use for any purposes, any tropical hardwood or tropical hardwood product to exclude contracts with public entities for the provision of water or power. (Public Utilities Commission)

File 97-92-51, Ordinance No. 304-92

(Amends Section 12I.5.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

[Tropical Hardwoods Waiver]
Ordinance authorizing execution of the contract for the conveyance of water from the 1992 California Drought Emergency Water Bank; authorizing execution of the agreement for wheeling exchange water from San Luis Reservoir to City of San Francisco; and waiving requirement of Section 12I.5(b) of the Administrative Code that every contract shall contain a statement urging companies not to use tropical hardwoods or tropical hardwood products. (Supervisor Migden)

File 172-92-11, Ordinance No. 305-92

Finally passed by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

Consideration Continued

[Contracting Out City Services]
Resolution concurring with the Controller's certification that uniformed security services can be practically performed for the Public Utilities Commission by a private contractor for a lower cost than similar work services performed by City and County employees. (Public Utilities Commission)

File 25-92-29, Resolution No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to October 13, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Hallinan - 3.

Request Granted

Supervisor Kennedy requested that letter be sent to the Director, Purchasing Department, advising him that the Board continued the above item to October 13, 1992 and requests his presence to answer some questions about the bids submitted and the basis for selection.

No objection and Clerk directed to comply.

Recommendation of Administration and Oversight Committee

Rereferred to Committee

[Appointment]
Resolution appointing member to the Assessment Appeals Board. (Administration and Oversight Committee)

File 92-92-30, Resolution No.

(Thomas P. Brady, vice himself, regular member, term expired, for three-year term ending September 7, 1995.)

Supervisor Hsieh, seconded by Supervisor Hallinan, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Hallinan - 3.

NEW BUSINESS

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Conflict of Interest Code]
Ordinance amending Administrative Code, as required each two years by State law, to delete various obsolete positions and to add various new positions, and to make other technical changes. (City Attorney)

File 97-92-53, Ordinance No.

(Amends Chapter 58 (Conflict of Interest Code), Sections 58.3, 58.4, 58.115, 58.120, 58.135, 58.145, 58.155, 58.165, 58.177, 58.180, 58.190, 58.195, 58.207, 58.210, 58.220, 58.280, 58.285, 58.290, 58.310, 38.325, 58.330, 58.335, 58.345, 58.350, 58.355, 58.365, 58.375, 58.385, 58.390.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

Adopted

[Appointments]
Resolution appointing members to the Hazardous Materials Advisory Committee. (Administration and Oversight Committee)

File 92-92-27.2, Resolution No. 854-92

(Alice Glasner, Department of City Planning, vice Dan Sullivan, retired, for unexpired portion of four-year term ending July 1, 1994;

Jeremiah Motak, small business, vice himself, term expired, for four-year term ending July 1, 1996;

Greg Holzman, open slot, vice Michael Schneider, term expired, for four-year term ending July 1, 1996;

C. Jeffrey Bramlett, industry, vice Dede Hapner, resigned, for unexpired portion of four-year term ending July 1, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

[Appointment]
Resolution appointing member to the City-Wide Alcoholism Advisory Board. (Administration and Oversight Committee)

File 92-92-29.4, Resolution No. 855-92

(Robert Strand, vice himself, term expired, for the three-year term ending July 1, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

[Grand Jury Recommendations]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1991-92 Civil Grand Jury to the Presiding Judge of the Superior Court who empaneled that Civil Grand Jury. (Administration and Oversight Committee)

File 39-92-1

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

Recommendation of Economic and Social Policy Committee

Passed for Second Reading

[Van Ness Avenue Special Use District]
Ordinance amending the City Planning Code, Van Ness Avenue Special Use District, to permit awnings, canopies and marquees. (City Planning Department)

File 115-92-10, Ordinance No.

(Amends Section 243.)

(Approved by City Planning Commission Resolution No. 13320.)
(General Rule Exclusion from Environmental Impact Review.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;
Robert Butler.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Hallinan requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

[State Ballot Measure]
Resolution opposing Proposition 166 revising the State's health care system. (Supervisor Shelley)

File 12-92-39, Resolution No.

(September 21, 1992 - Introduced in Board for consideration on September 28, 1992.)

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to continue consideration to October 5, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Conroy - 3.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference

Adopted

[Street Closing]
Resolution authorizing temporary closing of a portion of Telegraph Hill Boulevard for the Columbus Day Celebration in the parking area of Coit Tower. (Supervisor Shelley)

File 42-92-45, Resolution No. 851-92

(Telegraph Hill Boulevard east of Grant Avenue on Monday, October 12, 1992.)

(September 21, 1992 - Introduced in Board for consideration on September 28, 1992.)

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Missouri Street for the Fourth Annual Potrero Hill Festival. (Supervisor Shelley)

File 42-92-46, Resolution No. 852-92

(Missouri Street between 19th and 20th Streets on Saturday, October 17, 1992 from 9:00 a.m. until 6:00 p.m.)

(September 21, 1992 - Introduced in Board for consideration on September 28, 1992.)

Adopted.

[Heritage Foundation]
Resolution encouraging the efforts of the Foundation for Architectural Heritage to survey San Francisco's structures. (Supervisor Maher)

File 261-92-1, Resolution No. 857-92

(September 21, 1992 - Introduced in Board for consideration on September 28, 1992.)

Adopted.

[Condominium Project]
Motion approving final map of 2101 Beach Street, a condominium project, being a resubdivision of Lot 1, in Assessor's Block 919, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-92-22

(September 21, 1992 - Introduced in Board for consideration on September 28, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Severed from Immediate Adoption Calendar

On advice of the City Attorney, the Clerk requested that the following measure be severed from the Immediate Adoption Calendar and considered separately because this item requires that an ordinance be enacted. (See infra.)

Tabled

[Renaming Civic Auditorium]
Resolution renaming the Civic Auditorium to Bill Graham Auditorium. (Supervisor Gonzalez)

File 259-92-1, Resolution No.

Supervisor Maher, seconded by Supervisor Kennedy, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

The Board thereupon resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-39, Resolution No. 841-92

(Mayor Frank M. Jordan, September 23 - October 3; Bill Maher, member, Board of Supervisors, October 19; Mary E. Burns, General Manager, Recreation and Park Department, October 12 - 19; Julia Campbell, member, Commission on the Aging, December 4 - 14; Thomas J. Elzey, General Manager, Public Utilities Commission, September 24 - 26; James K. Ho, member, Airports Commission, September 13 - October 1; Lee Ann Monfredini, member, Commission on the Aging, September 19 - 26; Patrick A. Murphy, President, Airports Commission, September 15 - 17; Arlo Smith, District Attorney, November 6 - 8, 1992.)

Adopted.

[Commendation]
Resolution commending Michael T. Farrell for his enduring commitment and service to the City and County of San Francisco. (Supervisor Conroy)

File 6-92-19, Resolution No. 842-92

Adopted.

[Commendation]
Resolution commending Fredrick F. Postel for his enduring commitment and service to the City and County of San Francisco. (Supervisor Conroy)

File 6-92-20, Resolution No. 843-92

Adopted.

[Commendation]
Resolution commending John F. Boscacci for his enduring commitment and service to the City and County of San Francisco. (Supervisor Conroy)

File 6-92-21, Resolution No. 844-92

Adopted.

(The Immediate Adoption Calendar includes the following additional resolution submitted after preparation of the calendar.)

Adopted

[Street Closing]
Resolution authorizing temporary closing of a portion of Howard Street, between Third and Fourth Streets, on Thursday, October 1, 1992, 9:00 p.m. until 10:00 p.m. for Choice Hotels International.

File 42-92-50, Resolution No. 845-92

Supervisor Shelley presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Renaming Civic Auditorium]
Ordinance amending Administrative Code by adding Section 4.21 to name the Civic Auditorium for Bill Graham. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered as soon as possible.

File 97-92-58

Referred to Board

[Street Closing]
Resolution authorizing temporary closing of a portion of Rose Street, between Market and Gough Streets, on Monday, October 12, 1992, 12:00 noon until 9:00 p.m. for party at Zuni Cafe. (Supervisor Achtenberg presented.) Referred to Board October 5, 1992 For Adoption Without Committee Reference Calendar.

File 42-92-49

Referred to Committee

[City Bond Financed Project Task Force]
Resolution creating a task force, appointed by the Board of Supervisors, that will study and make recommendations regarding ways of increasing the participation of disadvantaged local minority and women-owned businesses in projects financed by City bond funds. (Supervisor Gonzalez presented.) Referred to Economic and Social Policy Committee.

File 174-92-4

Requests for Hearings

File 7-92-7, By Supervisors Gonzalez and Migden: To consider fraudulent sale of Municipal Railway transfers and counterfeit sale of fast passes. Referred to Finance Committee.

File 100-92-7, By Supervisor Migden: To consider revenue options to augment the 1992-93 Annual Appropriation Ordinance and related ordinances. Referred to Finance Committee with request it be considered on September 30, 1992.

File 100-92-8, By Supervisor Migden: To consider what City property might be sold or leased to help address the fiscal emergency. Referred to Finance Committee with request it be considered on October 1, 1992.

File 188-92-1, By Supervisor Migden: To consider the fiscal impact of the 1987 contracts with Pacific Gas and Electric and the Modesto and Turlock Irrigation Districts for the purchase and sale of Hetch Hetchy water. Referred to Finance Committee.

File 208-92-1, By Supervisor Alioto: To consider Fire Department's policy of referring veterans to a non-veteran hospital and the efficacy of such actions. Referred to City Services Committee.

File 263-92-1, By Supervisor Hsieh: To consider removing the Worker's Compensation Division from the Employee's Retirement System. Referred to Administration and Oversight Committee.

File 264-92-1, By Supervisor Migden: To consider implementation of an early retirement program for all employees not included under Charter Section 8.517-2 (Proposition A, 1991). Referred to Administration and Oversight.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 36-92-4. [Zoning Map Change] Adopting the abolition of setback lines as an amendment to the Zoning Map of the City and County of San Francisco for property located in an RH-2 (House, Two-Family)

District, on the east side of 35th Avenue between Cabrillo and Fulton Streets, Lots 15, 15A, 15B, 16, 16A, 16B, 16C, 17, 17A, 17B, 17C, 17D, 17E, 17F, 18, 19 and 19A in Assessor's Block 1677; and adopting findings pursuant to Section 101.1. (Department of City Planning) Economic and Social Policy

File 45-92-57. [Settlement of Litigation] Authorizing settlement of litigation of Carlos Eduardo Cordon against the City and County of San Francisco by payment of $15,500. (City Attorney) Administration and Oversight

File 45-92-58. [Settlement of Litigation] Authorizing settlement of litigation of Kish against the City and County of San Francisco by payment of $83,416.71. (City Attorney) Administration and Oversight

File 45-92-59. [Settlement of Litigation] Authorizing settlement of litigation of Juan Gamez against the City and County of San Francisco by payment of $47,500. (City Attorney) Administration and Oversight

File 45-92-60. [Settlement of Litigation] Authorizing settlement of litigation of Sean Ormsby against the City and County of San Francisco by payment of $12,000. (City Attorney) Administration and Oversight

File 65-92-13. [Lease] Approving lease between Recreation and Park with Theatre Bay Area to operate a discount ticket booth at Union Square Garage. (Recreation and Park Department) Finance

File 97-92-56. [Environmental Review Fees] Amending Administrative Code by amending Section 31.46A, concerning fees for zoning and public information, and construction services related to development projects and permit processing. (Department of City Planning) Finance

File 115-92-11. [Planning Fees] Amending City Planning Code by adding new Section 374 and renumbering Section 374 of Article 3.5A, to impose new fees for zoning and public information, construction services and compliance activities related to development projects and permit processing. (Department of City Planning) Finance

File 117-92-1. [Uniform Fire Code - Amendments] Repealing Part II, Chapter IV (Fire Code) of the San Francisco Municipal Code, adopting by reference the Uniform Fire Code and San Francisco amendments thereto; providing for effective date; companion measure to File 117-92-1.1. (Fire Commission) City Services

File 124-92-9. [Parking Meters] Amending Traffic Code by amending Section 32.8.12 thereof, to remove the parking facility at 1350 Bush Street from those off-street parking sites on which parking meters may be used. (Parking Authority) Economic and Social Policy

File 173-92-3. [Marine Terminal Use Agreement] Approving a five year Marine Terminal Use Agreement with National Shipping Corporation of the Philippines for use of the North Container Terminal (Pier 80). (Port) Finance

Resolutions Referred to Committee

File 28-92-11. [Airport Administration] Approving a declaration of emergency, emergency environmental services at Roads 18 and 9, Airport Contract No. 3200, San Francisco International Airport - $150,000. (Airports Commission) Finance

File 54-92-5. [Meeting Schedule] Revising the regular meeting schedule of the Board of Supervisors by cancelling the meetings of November 30, and December 28, 1992. (Clerk of the Board) Administrative and Oversight

File 82-92-8. [Property Acquisition - Noise Easements] Authorizing the acquisition of fifty-three additional noise easements in the City of South San Francisco in their Phase VI Program - $500,000. (Real Estate Department) Finance

File 117-92-1.1. [Fire Code] Endorsing those changes and providing findings as to the local conditions requiring changes of Part IX, of the California Uniform Fire Code, of the State Building Standards Code, for fire safety and protection, as required by California Health and Safety Code; companion measure to File 117-92-1. (Fire Commission) City Services

File 143-92-4. [OCJP Funding] Authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of $500,000 made available through the Office of Criminal Justice Planning for a project entitled "Operation Revitalization". (Mayor) Finance

File 170-92-11. [Airport Revenue Bonds] Approving the issuance of not to exceed $305,000,000 principal amount of San Francisco International Airport Second Series Refunding Revenue Bonds in up to three separate issues, and establishing a maximum interest rate therefor. (Airports Commission) Finance

File 198-92-2. [Fees] Establishing a fee to cover administrative and clerical costs of processing installment accounts for the payment of fines imposed by the Municipal Court in criminal and traffic cases pursuant to Penal Code Section 1205(d). (Municipal Court) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hsieh, that City Attorney prepare charter amendment to remove the Worker's Compensation Division from the Employee's Retirement System.

By Supervisor Migden, that City Attorney provide opinion as to the legal steps required to implement an early retirement program for members of the police, fire and sheriff's office.

By Supervisor Shelley, that follow-up letter be sent to his Honor, the Mayor, seeking an update on implementation of recommendations contained in the Workers Compensation Task Force Report.

By Supervisor Shelley, that letter of inquiry be sent to Director of Planning to determine the status of the proposed 67-unit development on 26th Street and whether the project includes interior sprinklers, and if it does not, what effect will that have on fire safety for the development and surrounding homes.

By Supervisor Achtenberg, that City Attorney prepare appropriate legislation creating a Recycling Task Force.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Morrison MacKenzie (Supervisor Britt)
Jerry Bishop (Supervisor Kennedy)
James Lowe Sr. (Supervisor Kennedy)
Charlie J. Allen (Supervisor Kennedy)
Roosevelt Turner (Supervisor Kennedy)
Brian J. Murphy (Supervisor Hsieh)
Maria Graham (Supervisor Alioto)

File 2-92-39

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:10 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on MAY 3 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Vol. 87 No. 40

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Monday, October 5, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 5, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Noted absent at first roll call:

Supervisors Achtenberg, Alioto, Britt - 3.

Quorum present.

Supervisor Achtenberg was noted present at 2:20 p.m.

Supervisor Alioto was noted present at 2:17 p.m.

Supervisor Britt was noted present at 2:50 p.m.

Presentation of Guests

Supervisor Alioto presented and welcomed the Honorable Tatiana Galinskia, a colleague from the St. Petersburg City Council, Russia.

Supervisor Kennedy introduced and welcomed the Honorable Kebba Jallow, Mayor of Gambia, Africa.

Suspension of the Rules

There being no objection, on motion by Supervisor Kennedy, seconded by Supervisor Maher, Rule 2.21 of the Rules of Order of the Board of Supervisors was suspended to grant privilege of the floor to former Board of Supervisors President and currently Assessor Doris Ward and Mayor Jallow.

Presentation Made

After a brief message from Assessor Ward and Mayor Jallow, Supervisor Kennedy presented a Certificate of Honor to his Honor and the Mayor presented the flag of Gambia to Supervisor Kennedy and Assessor Ward.

CONSENT CALENDAR

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Juanita Gittins against the City and County by payment of $6,500. (City Attorney)

File 45-92-50, Ordinance No. 306-92

(Superior Court No. 936-186.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Minerva Martin, et al., against the City and County by payment of $10,500. (City Attorney)

File 45-92-51, Ordinance No. 307-92

(Superior Court No. 887-405.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Albert Rubino against the City and County by payment of $7,000. (City Attorney)

File 45-92-52, Ordinance No. 308-92

(Municipal Court No. 069-293.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Patrick Michael Barnette against the City and County by payment of $15,000. (City Attorney)

File 45-92-53, Ordinance No. 309-92

(U.S. District Court No. C91-1894 WHO.)

Finally passed.

[Settlement of Litigation and Concession Lease Approval]
Ordinance approving settlement agreement and approving a two-year lease with Pon and Hom, Incorporated, to operate a snack bar concession at the Music Concourse in Golden Gate Park, San Francisco, California. (Recreation and Park Department)

File 45-92-54, Ordinance No. 310-92

(Superior Court No. 927-831.)

Finally passed.

[Conflict of Interest Code]
Ordinance amending Administrative Code, as required each two years by State law, to delete various obsolete positions and to add various new positions, and to make other technical changes. (City Attorney)

File 97-92-53, Ordinance No. 311-92

(Amends Chapter 58 (Conflict of Interest Code), Sections 58.3, 58.4, 58.115, 58.120, 58.135, 58.145, 58.155, 58.165, 58.177, 58.180, 58.190, 58.195, 58.207, 58.210, 58.220, 58.280, 58.285, 58.290, 58.310, 38.325, 58.330, 58.335, 58.345, 58.350, 58.355, 58.365, 58.375, 58.385, 58.390.)

Finally passed.

Recommendation of Economic and Social Policy Committee

Finally Passed

[Van Ness Avenue Special Use District]
Ordinance amending the City Planning Code, Van Ness Avenue Special Use District, to permit awnings, canopies and marquees. (City Planning Department)

File 115-92-10, Ordinance No. 312-92

(Amends Section 243.)

(Approved by City Planning Commission Resolution No. 13320.)
(General Rule Exclusion from Environmental Impact Review.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Britt - 2.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Adopted

[Approval for Purchase of City Vehicles]
Resolution urging the Mayor to include in budget instructions to the various departments information regarding Board policy on procurement of vehicles and informing City departments that the Board will disapprove budget requests for authorization of procurements of vehicles for City departments absent a sufficient showing of need for said vehicle. (Supervisor Hallinan)

File 100-92-6.1, Resolution No. 858-92

Request Granted

Supervisor Hallinan requested letter be sent to his Honor, the Mayor, requesting he report back in 30 days to the Finance Committee on the progress of implementing the resolution concerning city vehicles.

No objection and Clerk directed to comply.

The roll was called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Passed for Second Reading

[Approval for Purchasing City Vehicles]
Ordinance amending Administrative Code, to guide and limit the Purchaser's purchase, lease and other procurement of vehicles for use by officials and employees of departments of the City and County, requiring the procurement of the most economical vehicle available for that purpose and exempting mass transit vehicles. (Supervisor Hallinan)

File 97-92-57, Ordinance No.

(Adds Sections 21.18-4, 21.18-5.)

Request Granted

Supervisor Hallinan requested letter be sent to Director, Purchasing Department, requesting he report back in 30 days to the Finance Committee on the progress of implementing the resolution concerning city vehicles.

No objection and Clerk directed to comply.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Adopted

[Enforcing City Vehicle Rules and Regulations]
Resolution requesting the Mayor and the Chief Administrative Officer to enforce all City rules and regulations related to the use of City vehicles, requesting the Controller to offset any amounts owed to the City by any person who has violated any of these rules and regulations, and requesting the Mayor, the Chief Administrative Officer and the Controller to receive penalty fees from persons who have violated any of these rules and regulations. (Supervisor Hallinan)

File 97-92-57.1, Resolution No. 862-92

Request Granted

Supervisor Hallinan requested letter be sent to Chief Administrative Officer, requesting he report back in 30 days to the Finance Committee on the progress of implementing the resolution concerning enforcement of city vehicle rules and regulations.

No objection and Clerk directed to comply.

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

COMMITTEE REPORTS

Recommendations of Finance Committee

Passed for Second Reading as Amended

[Government Funding]
Ordinance adjusting revenue and expenditure appropriations for various departments of the General Fund, Traffic Fines Fund, Welfare Assistance and Administration Fund, Tobacco Tax Fund, Health and Welfare Realignment Fund, Narcotics Forfeiture Fund, Cable TV Access Development Fund, Taxicab Enforcement Fund, Children's Fund, Open Space Fund, Recreation and Park Special Revenue Fund, State authorized fund, Internal Service fund-Controller IDS, Internal Service Fund-Real Estate, Internal Service Fund-Electricity, Public Utilities Commission Fund, Interdepartmental Work Order Fund, Special Revenue-Storage Inventory Fund, Public Utilities Commission-Personnel Fund, DPW-Support Services Fund, DPW Personnel Fund, Airport Operating Fund, Municipal Railway operating fund, S.F. Harbor operating fund, S.F. General Hospital operating fund, S.F. General Hospital work order fund, Laguna Honda Hospital operating fund, deleting eighty-six (86) positions; creating one position, reflecting budget adjustments for fiscal year 1992-93 resulting from State Budget reductions. (Supervisor Gonzalez)

File 101-92-7, Ordinance No.

Supervisor Gonzalez presented as recommendation of Finance Committee.

Supervisor Hsieh, seconded by Supervisor Conroy, moved to amend as follows in order to increase the general fund reserve from $9.122 million to $10 million:

Proposal	
$623,335	Replace substance abuse detox and outpatient services with grant funds;
$130,000	Reduce Board reserve for delayed implementation of HIV primary care; delayed three months pending State budget cuts;
$124,665	Replace residential treatment program slots related to needle exchange with grant funds.

After a period of debate, there being no objection, Supervisor Hsieh withdrew his motion to amend.

Supervisor Gonzalez, seconded by Supervisor Alioto, moved to amend last page to add the following section:

"Section 3. This ordinance rescinding appropriations for vital City services is passed in recognition of the severe revenue constraints imposed on the City and County of San Francisco from the sudden withdrawal by the State of California of over $63 million including support for public health programs, the

continuing diminution of federal assistance to provide for critical services, and revenue deficiencies from the continuing nationwide economic downturn.

"This Board, in recognition of the current and projected fiscal situation, urges the appointment and rapid convening of a multidisciplinary task force to study ways to optimize the delivery of service to the residents of San Francisco and present recommended changes to City processes, procedures, codes and the City charter, if necessary, which could further the efficient delivery of services to the residents of San Francisco. The task force should be composed of individuals and representatives of groups reflecting the diversity of the city.

"This Board of Supervisors further urges the Mayor and the Chief Administrative Officer to work with City department heads and officials to prepare and submit a schedule showing the deadlines to submit possible charter changes and other ballot measures, including any recommended revenue measures, to the electorate at a special election, should one be required, in sufficient time for these changes to be effective commencing with the start of fiscal year 1993-94."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 10.

Noes: Supervisor Maher - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 8.

Noes: Supervisors Conroy, Hsieh, Maher - 3.

Passed for Second Reading

[Public Employment]
Ordinance amending Ordinance No. 250-92 (Annual Salary Ordinance, 1992-93) reflecting the addition of one position in the Department of Public Health, Central Office and deleting 86 positions in the Public Defender, Public Health Central Office, Community Mental Health, Purchasing, Public Utilities, Municipal Railway and San Francisco General Hospital Departments.

File 102-92-6, Ordinance No.

Supervisor Gonzalez presented as recommendation of Finance Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 8.

Noes: Supervisors Conroy, Hsieh, Maher - 3.

Recess

At the request of President Shelley, the Board recessed at the hour of 2:38 p.m. to convene in closed session to meet with the City Attorney pursuant to Government Code Section 54956.9(b)(1), significant exposure to litigation exists concerning the following two items:

The Board of Supervisors is considering a proposal to increase general fund revenue in the current fiscal year through advance payments of the Annual Service Fee from the Airports Commission to the City's general fund;

Recently enacted state legislation provides that the City may request certain payments from the Port and that the Port should be obligated to make said payments. The Board of Supervisors is considering making such a request and will be using any monies received as a result of such a request to alleviate the general fund budget deficit.

Reconvening of the Board

The Board, at the hour of 3:19 p.m., reconvened.

The following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney concerning exposure to litigation as provided in the Government Code.

Report Received

Cultural Affairs Task Force Final Report.

File 197-90-2.1

Suspension of the Rules

There being no objection, on motion by Supervisor Hallinan, seconded by Supervisor Hsieh, Rule 2.21 of the Rules of Order of the Board of Supervisors was suspended to grant privilege of the floor to Mr. Herb Felsenfeld, Committee Chair, Cultural Affairs Task Force.

Mr. Felsenfeld gave a brief presentation and submitted the Final Report of the Cultural Affairs Task Force to the Board of Supervisors.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Daniel Navarro;
Dan Fiorillo;
Nofaaluma Tuiasosopo;
Tharon Ueighill;
Tavai Fiatoa.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[State Ballot Measure]
Resolution opposing Proposition 166 revising the State's health care system. (Supervisor Shelley)

File 12-92-39, Resolution No. 861-92

(September 28, 1992 - Consideration continued to October 5, 1992.)

Adopted.

[Street Closing]
Resolution authorizing temporary closing of portion of Rose Street for party at Zuni Cafe. (Supervisor Achtenberg)

File 42-92-49, Resolution No. 863-92

(Rose Street, between Market and Gough Streets, on Monday, October 12, 1992, 12:00 noon until 9:00 p.m.)

(September 28, 1992 - Introduced in Board for consideration on October 5, 1992.)

Adopted.

[Subdivision]
Motion approving final map of 400-499 Gaven Street, being a resubdivision of Lot 19, in Assessor's Block 5861, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-92-23

(September 28, 1992 - Introduced in Board for consideration on October 5, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley - 7.

Absent: Supervisors Conroy, Hsieh, Kennedy, Maher - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-40, Resolution No. 860-92

(Peter D. Ashe, member, Retirement Board, October 6 - 7; Marie K. Brooks, member, Airports Commission, October 10 - 19; Marie Acosta-Colon, member, War Memorial Board of Trustees, September 16 - 28; Kenneth D. Dowlin, City Librarian, October 2 - 4; Frederick E. Jordan, member, Parking and Traffic Commission, September 24 - 28; John Kriken, member, Art Commission, September 18; J. Stanley Mattison, Vice President, Airports

Commission, October 6 - 15 and October 20 - 21; Patrick A. Murphy, President, Airports Commission, September 18 - 26 and September 29 - 30; Juan Rios, member, Civil Service Commission, September 16 - 17, September 22 - 27, and September 29 - October 1; L. A. Turpen, Director of Airports, October 9 - 20, 1992.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Needle Exchange]
Resolution condemning Governor Wilson for his veto of the needle exchange legislation.

File 12-92-40, Resolution No. 867-92

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of portions of Polk Street between McAllister and Grove Streets and Fulton Street between Larkin and Hyde Streets, Sunday, October 11, 1992, 6:00 p.m. until Monday, October 12, 1992, 11:59 p.m. for a cultural event, "Healing the Sacred Hoop: The Next 500 Years".

File 42-92-51, Resolution No. 859-92

Supervisors Hallinan, Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley - 7.

Absent: Supervisors Conroy, Hsieh, Kennedy, Maher - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Contractor Employee Health Benefits]
Ordinance amending Administrative Code by adding Sections 21.13-3 and 21.13-4 to require the Purchaser to require contractors providing personal services to the City and County in facilities owned or occupied under lease by the City and County to provide health benefits to all persons performing said services and requiring the Purchaser to give notice of said requirement to all bidders in the advertisement for proposals, and to require the Purchaser to promulgate rules and regulations for said purpose. (Supervisor Gonzalez presented.) Referred to Economic and Social Policy Committee.

File 97-92-49

Withdrawn from Calendar

[Street Closing]
Resolution authorizing temporary closing of portion of Twenty-fifth Street, between Dolores and Church Streets on Saturday, October 10, 1992, 11:00 a.m. until 6:00 p.m. for an annual block party. (Supervisor Shelley presented.) Referred to Board October 13, 1992 For Adoption Without Committee Reference Calendar..

File 42-92-52

Memo from the President dated October 7, 1992 requesting this item be withdrawn.

Referred to Board

[Street Closing]
Resolution authorizing temporary closing of portion of Polk Street between McAllister and Grove Streets, Saturday, October 24, 1992, 6:00 a.m. until midnight for San Francisco Youth Festival Concert. (Supervisor Shelley presented.) Referred to Board October 13, 1992 For Adoption Without Committee Reference Calendar.

File 42-92-53

[Physician Aid-in-Dying]
Resolution making it City policy to support the passage of Proposition 161, the Physician Aid-in-Dying Initiative, on the November 3, 1992 ballot. (Supervisors Alioto, Migden, Hallinan presented.) Referred to Board October 13, 1992 For Adoption Without Committee Reference Calendar.

File 60-92-11

[Task Force]
Resolution establishing a joint task force to address the City's fiscal crisis. (Supervisors Migden, Shelley presented.) Referred to Board October 13, 1992 For Adoption Without Committee Reference Calendar.

File 174-92-5

Referred to Committee

[Children's Services Plan]
Resolution urging the Mayor to utilize the 1992/93 Children's Services Plan ("CSP") as the foundation for the development of the 1993/94 CSP and to continue funding, during the next fiscal year, for those community based organizations selected to provide services identified in the 1992/93 CSP. (Supervisor Achtenberg presented.) Referred to Finance Committee.

File 185-92-4

Requests for Hearings:

File 30-92-10, By Supervisor Alioto: To consider areas of high cancer prevalence in the City. Referred to City Services Committee.

File 100-92-2.1, By Supervisor Hallinan: To consider the pending revisions to the appropriations of the Department of the Board of Supervisors. Referred to Administration and Oversight Committee.

File 115-92-13, By Supervisor Alioto: To consider legislation applicable to changes in Section 179 of the Planning Code to be applied to the Sacramento Street Commercial District. Referred to Economic and Social Policy Committee.

File 165-92-1.1, By Supervisor Hsieh: To consider recommendations contained in the management audit of the Early Retirement Program concerning submitting charter amendments to abolish the Retirement Board and requiring the City's contribution rate to the Employee's Retirement Trust Fund be subject to the approval of the Mayor and the Board of Supervisors. Referred to Administration and Oversight Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-92-61. [Settlement of Litigation] Authorizing settlement of litigation of Edward J. Schach, et al., v. Harry Britt, et al., by payment of $675,000. (City Attorney) Administration and Oversight

File 45-92-62. [Settlement of Litigation] Authorizing settlement of litigation of Helen DaSilva, et al., against the City and County of San Francisco by payment of $65,000. (City Attorney) Administration and Oversight

File 45-92-63. [Settlement of Litigation] Authorizing settlement of litigation of Lula Kirby against the City and County of San Francisco by payment of $7,000. (City Attorney) Administration and Oversight

File 46-92-20. [Settlement of Lawsuit] Authorizing settlement of

Olivia Lee v. American Telephone & Telegraph Co., et al., upon receipt of the sum of $5,000 and release of lien. (City Attorney) Administration and Oversight

File 46-92-21. [Settlement of Lawsuit] Authorizing settlement of Antoinetta Williams v. Jehad Husary, et al., upon receipt of the sum of $7,500 and dismissal of complaint. (City Attorney) Administration and Oversight

File 93-92-33. [Benefits for Unrepresented Employees] Approving the provision of dental benefits and two paid furlough days for fiscal year 1992-93 to qualified unrepresented employees who sign a waiver regarding the 1991-92 wage freeze. (Mayor) Administration and Oversight

File 127-92-9. [Board of Permit Appeals Fees] Amending Part III of the Municipal Code, by amending Section 8 thereof, to increase specified Board of Permit Appeals filing fees. (Board of Permit Appeals) Finance

File 164-92-3.1 [Street Vacation] Ordering vacation subsurface and airspace areas of Fourth Street southeasterly of Howard Street; and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 164-92-3. (Real Estate Department) Economic and Social Policy

Resolutions Referred to Committee

File 48-92-21. [Settlement of Claim] Approving the settlement of the unlitigated claim of James C. Brooks by payment of $7,000. (City Attorney) Administration and Oversight

File 94-92-8. [Grant - Federal Funds] Authorizing the Public Utilities Commission to apply for, accept and expend $1,500,000 in Federal Capital Assistance including the required local contribution from the Clean Air and Transportation Improvement Act of 1990 funds and/or State Transit Assistance funds and/or Bridge Toll Net Revenues and/or San Francisco Municipal Railway Improvement Corporation funds and/or Transportation Sales Taxes revenues to provide financing for the design and rehabilitation of the Municipal Railway's fixed facilities. (Public Utilities Commission) Finance

File 94-92-9. [Grant - Federal Funds] Authorizing the Public Utilities Commission to apply for, accept and expend $15,000,000 of Federal Capital Assistance and $2,647,059 in required local match funds to acquire trolley coaches. (Public Utilities Commission) Finance

File 146-92-52.1. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of $2,102,567, which includes indirect costs of $241,709 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding AIDS Surveillance Project. (Department of Public Health) Finance

File 146-92-69. [Grant - Federal Funds] Authorizing the Department of Public Health Services, to accept and expend a grant of $630,000, which includes indirect costs in the amount of $30,580, based on twenty percent of salaries from the Federal Bureau of Health Care Delivery Assistance for linked primary care and substance abuse services; providing for ratification of action previously taken. (Department of Public Health) Finance

File 146-92-70. [Grant - State Funds] Authorizing the Department of Public Health, Community Public Health Services, Family Health, Child Health and Disability Prevention Program (CHDP), to accept and expend an allocation in the total amount of $2,187,178, which includes indirect costs in the amount of $251,836, based on twenty percent of salaries from the State Department of Health Services for child health and disability prevention services; providing for ratification of action previously taken. (Department of Public Health) Finance

File 146-92-71. [Grant - State Funds] Authorizing the Department of Public Health, Community Health Program, Family Health Bureau, to apply for, accept and expend a grant of $1,384,872, which includes indirect costs in the amount of $97,447, based on ten percent of personnel cost from the State Department of Health Services for WIC services; providing for ratification of action previously taken. (Department of Public Health) Finance

File 147-92-3.1. [Grant - Federal Funds] Authorizing the San Francisco Public Library to accept and expend $85,000 in grant funds from the U.S. Department of Education Library Services and Construction Act (LSCA) for the purchase of foreign language materials for the fiscal year 1992-93; companion measure to File 147-92-3. (Public Library) Finance

File 153-92-4. [Grant - Federal Funds] Authorizing the Department of Social Services to accept and expend, the third year grant funds from the Department of Health and Human Services, Maternal and Child Health Bureau in the amount of $172,800 including the indirect cost of $8,228 which is based on five percent of the total direct charges for Federal fiscal year 1992-93 for development of case management services to medically fragile and HIV positive infants. (Department of Social Services) Finance

File 161-92-7. [South of Market Survey Area] Amending Resolution No. 177-90, designating and describing the South of Market Survey Area by adding additional land to said survey area. (Redevelopment Agency) Economic and Social Policy

File 164-92-3. [Street Vacation] Declaring intention of Board of Supervisors to vacate subsurface and airspace areas of Fourth Street southeasterly of Howard Street; and setting the hearing for all persons interested in the proposed vacation. (Real Estate Department) Economic and Social Policy

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hsieh, that letter be sent to the Civil Service Commission inquiring whether the forty-five positions that were vacated as a result of the extension of the Early Retirement Program have been backfilled. Specifically, which positions have been refilled and when was the filling effectuated and which positions remain vacant.

By Supervisor Hsieh, that letter be sent to General Manager, Retirement System to determine the identity of the forty-five employees who were permitted to rescind their retirements of September 1, 1992 in order to take advantage of the Early Retirement Program, listing each job title and classification.

By Supervisor Kennedy, that City Attorney prepare appropriate legislation asking the Mayor to undertake a comprehensive city-wide managerial and financial audit of all City departments to identify areas of duplication and waste and to provide recommendations on ways to maintain City services while cutting the cost of operations. Such recommendation to include possible reforms in the City charter.

By Supervisor Kennedy, that letter be sent to Budget Analyst requesting update on the status of audit of the Clean Water sewer service charge.

By Supervisor Kennedy, that letter of inquiry be sent to General Manager, Municipal Railway, concerning the wheelchair lift on bus vehicle number 4517, to determine whether the lift has been repaired and a response has been sent to the concerned patron.

By Supervisor Alioto, that City Attorney prepare legislation applicable to the Sacramento Street Neighborhood Commercial District so that Section 179 of the Planning Code can be used to legalize uses which, prior to June 1, 1992, were changed to other uses without the required permits and/or City Planning Commission authorization and that this amendment to the code would have a two year sunset provision.

By Supervisor Shelley, that City Attorney draft legislation to require that City departments select and oversee contractors according to the Purchaser's criteria.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Vincent Hallinan (By the entire Board)
Fred Ross, Sr. (By the entire Board)
Darm Hor Chan (Supervisor Hsieh)
Alma Frances Frick (Supervisor Conroy)

File 2-92-40

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:02 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on MAY 3 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Vol. 87 No. 41

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Tuesday, October 13, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, October 13, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Kennedy, Maher, Migden, Shelley - 8.

Noted absent at first roll call:

Supervisors Britt, Hallinan, Hsieh - 3.

Quorum present.

Supervisor Britt excused from attendance. (see infra.)

Supervisor Hallinan was noted present at 2:15 p.m.

Supervisor Hsieh was noted present at 2:15 p.m.

Supervisor Britt Excused

Supervisor Maher, seconded by Supervisor Kennedy, moved to excuse Supervisor Britt from attending today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Approval for Purchasing City Vehicles]
Ordinance amending Administrative Code, to guide and limit the Purchaser's purchase, lease and other procurement of vehicles for use by officials and employees of departments of the City and County, requiring the procurement of the most economical vehicle available for that purpose and exempting mass transit vehicles. (Supervisor Hallinan)

File 97-92-57, Ordinance No. 316-92

(Adds Sections 21.18-4, 21.18-5.)

Finally passed.

Adopted

[Contracting Out City Services]
Resolution approving the Controller's certification that Airport Information Booth Program for San Francisco International Airport can practically be performed by private contractor at a lower cost for this program than if work was performed by City employees at presently budgeted levels. (Airports Commission)

File 25-92-32, Resolution No. 878-92

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of $1,444,565, which includes indirect costs in the amount of $158,044 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the Epidemiologic Research Studies of the Natural History of HIV/AIDS and HIV Incidence in Homosexual/Bisexual Men Recruited from the San Francisco Sexually Transmitted Disease Clinic (formerly known as the Epidemiologic Study of the Natural History of HIV/AIDS in Homosexual/Bisexual Men Previously Enrolled in Studies of Hepatitis B Infection). (Department of Public Health)

File 146-92-41.1, Resolution No. 887-92

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, Division of Tuberculosis Control, to apply for a grant of $2,453,034, which includes indirect costs in the amount of $244,869 based on twenty percent of salaries, from the Department of Health and Human Services, Centers for Disease Control, for the continuation of the following programs; Tuberculosis Prevention and Control/Elimination, and the HIV Related TB Prevention Program. (Department of Public Health)

File 146-92-67, Resolution No. 888-92

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Refused Passage for Second Reading; Rescinded;
Consideration Continued; Rescinded;
Question Divided; Passed for Second Reading as Divided

[Government Funding]
Ordinance adjusting revenue and expenditure appropriations for various departments of the General Fund, Traffic Fines Fund, Welfare Assistance and Administration Fund, Tobacco Tax Fund, Health and Welfare Realignment Fund, Narcotics Forfeiture Fund, Cable TV Access Development Fund, Taxicab Enforcement Fund, Children's Fund, Open Space Fund, Recreation and Park Special Revenue Fund, State authorized fund, Internal Service fund-Controller IDS, Internal Service Fund-Real Estate, Internal Service Fund-Electricity, Public Utilities Commission Fund, Interdepartmental Work Order Fund, Special Revenue-Storage Inventory Fund, Public Utilities Commission-Personnel Fund, DPW-Support Services Fund, DPW Personnel Fund, Airport Operating Fund, Municipal Railway operating fund, S.F. Harbor operating fund, S.F. General Hospital operating fund, S.F. General Hospital work order fund, Laguna Honda Hospital operating fund, deleting eighty-six (86) positions, ((creating one (1) position)) reflecting budget adjustments for fiscal year 1992-93 resulting from State Budget reductions. (Supervisor Gonzalez)

File 101-92-7, Ordinance No.

Refused passage for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Kennedy, Migden, Shelley - 6.

Noes: Supervisors Conroy, Hsieh, Maher - 3.

Absent: Supervisors Britt, Hallinan - 2.

There being no objection, on motion by Supervisor Kennedy, seconded by Supervisor Gonzalez, the previous vote was rescinded.

Supervisor Gonzalez, seconded by Supervisor Maher, moved to continue consideration to October 19, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

There being no objection, on motion by Supervisor Gonzalez, seconded by Supervisor Hallinan, the vote was rescinded.

In response to Supervisor Gonzalez' inquiry, Deputy City Attorney Ted Lakey stated that this item requires eight votes for passage because it contains provision to restore a position to the budget that was deleted pursuant to Proposition A, early retirement, Charter Section 8.517-2 permits restoration of non-mandated positions upon recommendation of the Mayor and by a two-thirds vote of the Board of Supervisors.

In response to Supervisor Gonzalez, the Clerk of the Board stated that any Supervisor has the ability to divide a question that can be divided and acted upon separately, which does not require a formal motion. A Supervisor can ask and the President shall order a question divided.

At the request of Supervisor Gonzalez, the question was divided with respect to appropriating funds for creation of one position in the Department of Public Health so the matter could be considered separately.

Ordinance passed for second reading, as divided, by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 7.

Noes: Supervisors Conroy, Hsieh, Maher - 3.

Absent: Supervisor Britt - 1.

Refused Passage for Second Reading; Rescinded;
Consideration Continued as Divided

[Government Funding]
Ordinance increasing personal service appropriation, $38,804, Department of Public Health for permanent salaries and fringe benefits for creation of one position (2978F Contract Compliance Officer), for fiscal year 1992-93.

File 101-92-7.1, Ordinance No.

Refused passage for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 7.

Noes: Supervisors Conroy, Hsieh, Maher - 3.

Absent: Supervisor Britt - 1.

Supervisor Gonzalez, seconded by Supervisor Migden, moved to rescind the previous vote:

Motion to rescind adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Supervisor Gonzalez, seconded by Supervisor Migden, moved to continue consideration to October 19, 1992.

Motion to continue adopted by the following vote;

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Finally Passed

[Public Employment]
Ordinance amending Ordinance No. 250-92 (Annual Salary Ordinance, 1992-93) reflecting the addition of one position in the Department of Public Health, Central Office and deleting 86 positions in the Public Defender, Public Health Central Office, Community Mental Health, Purchasing, Public Utilities, Municipal Railway and San Francisco General Hospital Departments; companion measure to Files 101-92-7 and 101-92-7.1. (Supervisor Gonzalez)

File 102-92-6, Ordinance No. 315-92

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 7.

Noes: Supervisors Conroy, Hsieh, Maher - 3.

Absent: Supervisor Britt - 1.

Adopted

[Contracting Out City Services]
Resolution concurring with the Controller's certification that uniformed security services can be practically performed for the Public Utilities Commission by a private contractor for a lower cost than similar work services performed by City and County employees. (Public Utilities Commission)

File 25-92-29, Resolution No. 877-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Environmental Review Fees]
Ordinance amending Administrative Code, concerning fees for zoning and public information, and construction services related to development projects and permit processing. (Department of City Planning)

File 97-92-56, Ordinance No.

(Amends Section 31.46A.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Renaming Civic Auditorium]
Ordinance amending Administrative Code, to name the Civic Auditorium for Bill Graham. (Supervisors Gonzalez, Migden, Hallinan, Achtenberg, Kennedy, Alioto, Maher, Shelley, Conroy, Britt)

File 97-92-58, Ordinance No.

(Adds Section 4.21.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Planning Fees]
Ordinance amending City Planning Code, to impose new fees for zoning and public information, construction services and compliance activities related to development projects and permit processing. (Department of City Planning)

File 115-92-11, Ordinance No.

(Adds new Section 371;
Renumbers previous Section 371 to Section 372.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Marine Terminal Use Agreement]
Ordinance approving a five year Marine Terminal Use Agreement with National Shipping Corporation of the Philippines for use of the North Container Terminal (Pier 80). (Port)

File 173-92-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Adopted

[Claims Against the Government]
Resolution waiving the Statute of Limitations with respect to payment of seven certain warrants of the City and County of San Francisco, in an amount totalling $1,103.45 legal obligations of the City and County. (Controller)

File 23-92-7, Resolution No. 876-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Emergency Repair]
Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace the damaged sanitary line serving the San Francisco Zoo's Terrace Cafe. (Department of Public Works)

File 28-92-10, Resolution No. 872-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Airport Administration]
Resolution approving a declaration of emergency, emergency environmental services at Roads 18 and 9, Airport Contract No. 3200, San Francisco International Airport - $150,000. (Airports Commission)

File 28-92-11, Resolution No. 879-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Reject/Award Management Bid]
Resolution rejecting bid of B. L. Hom Corporation in response for bids for management contract at Polk/Bush Garage and awarding said bid to City Parking as the lowest, responsive and responsible bidder. (Real Estate Department)

File 47-92-5.1, Resolution No. 881-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Lease of Property]
Resolution authorizing lease of real property from the Department of the Navy for use by the Police Department, Narcotics Division (warehouse space in Building 128 at Hunters Point Annex) for storage of confiscated automobiles; retroactive to July 1, 1992. (Real Estate Department)

File 64-92-23, Resolution No. 883-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Property Acquisition - Noise Easements]
Resolution authorizing the acquisition of fifty-three additional noise easements in the City of South San Francisco in their Phase VI Program - $500,000. (Real Estate Department)

File 82-92-8, Resolution No. 884-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[OCJP Funding]
Resolution authorizing the Chief of Police to apply for, accept, retroactively, and to expend funds in the amount of $500,000, which includes indirect costs of $25,000 based on 5 percent of the total grant award, made available through the Office of Criminal Justice Planning for a project entitled "Operation Revitalization". (Mayor)

File 143-92-4, Resolution No. 165-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of $470,440, which includes indirect costs of $39,291, based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the evaluation and enhancement of HIV/AIDS Prevention Street and Community Outreach Programs that serve youth in high-risk situations project (also known as the Youth Scope Project); providing for ratification of action previously taken; placing $109,159 on reserve. (Department of Public Health)

File 146-92-26.1, Resolution No. 886-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Grant - Private Funds]
Resolution authorizing the Department of Public Health, Homeless Program, to apply for, accept and expend a grant of $100,000, from Comic Relief, for health services for homeless; providing for ratification of action previously taken; waiving indirect costs. (Department of Public Health)

File 146-92-68, Resolution No. 889-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Fees - Municipal Court]
Resolution establishing a fee to cover administrative and clerical costs of processing installment accounts for the payment of fines imposed by the Municipal Court in criminal and traffic cases pursuant to Penal Code Section 1205(d). (Municipal Court)

File 198-92-2, Resolution No. 874-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Acceptance of Deed]
Resolution authorizing acceptance of a deed from Progress Seven, Inc. of Lot 5 (portion) in Assessor's Block 4711 public roadway purposes and finding such action is in conformity with the Master Plan; requesting the Director of Public Works to propose acceptance of the roadway as a public street, if the street work is completed to the satisfaction of the Director of Public Works. (Real Estate Department)

File 203-92-1, Resolution No. 873-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

From Finance Committee without Recommendation

Consideration Continued

[Airport Revenue Bonds]
Resolution approving the issuance of not to exceed $305,000,000 principal amount of San Francisco International Airport Second Series Refunding Revenue Bonds in up to three separate issues, and establishing a maximum interest rate therefor. (Airports Commission)

File 170-92-11, Resolution No.

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to continue consideration to October 19, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Recommendations of City Services Committee

Passed for Second Reading

[Student Training - Health]
Ordinance amending Administrative Code, authorizing the Department of Public Health to provide training to students of the allied health professions in any accredited program. (Department of Public Health)

File 97-92-45, Ordinance No.

(Amends Section 19A.10.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Rereferred to Committee

[Street Artists]
Resolution designating twelve former temporary selling spaces on Market Street, south side, Sutter and Sansome Streets, and three former temporary selling spaces on Sutter Street, south side, at Market Street as permanent (year-round) selling spaces for street artists certified by the Art Commission, City and County of San Francisco. (Supervisor Hallinan)

File 169-92-3, Resolution No.

Supervisor Hsieh, seconded by Supervisor Maher, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of all persons interested in or objecting to the proposed elimination or reduction of health care services to indigents provided at the medical facilities of the City and County for fiscal year 1992-93, beginning July 1, 1992.

File 30-92-9

On advice of the City Attorney, this item was heard before the Board of Supervisors acted on the ordinance relating to adjusting the revenue and expenditure appropriations for various departments for fiscal year 1992-93. (See supra.)

The privilege of the floor was granted to the following persons:

Martha Hawthorne;
Program Director, Head Start;
Lance, HIV Vigil;
Susan Rosenthal, Coalition of Public Health Services;
Amelia Wilson;

Steve Neomi;
Pat, Center Plaza Care;
Representative, Coalition on Homelessness;
William Davis, ARC-AIDS Vigil;
George Smith.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Louis Martin.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Migden requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Task Force]
Resolution establishing a joint task force to resolve the City's fiscal crisis. (Supervisors Migden, Shelley, Conroy)

File 174-92-5, Resolution No. 890-92

(October 5, 1992 - Introduced in Board for consideration on October 13, 1992.)

Supervisor Migden, seconded by Supervisor Kennedy, moved an amendment of the whole entitled "Resolution establishing a joint task force to resolve the City's fiscal crisis.".

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hsieh, Migden, Shelley - 6.

Absent: Supervisors Achtenberg, Britt, Hallinan, Kennedy, Maher - 5.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hsieh, Migden, Shelley - 6.

Absent: Supervisors Achtenberg, Britt, Hallinan, Kennedy, Maher - 5.

The Board resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Street Closing]
Resolution authorizing temporary closing of portion of Polk Street for San Francisco Youth Festival Concert. (Supervisor Shelley)

File 42-92-53, Resolution No. 880-92

(Polk Street, between McAllister and Grove Streets, Saturday, October 24, 1992, 6:00 a.m. until midnight.)

(October 5, 1992 - Introduced in Board for consideration on October 13, 1992.)

Adopted.

[Physician Aid-in-Dying]
Resolution making it City policy to support the passage of Proposition 161, the Physician Aid-in-Dying Initiative, on the November 3, 1992 ballot. (Supervisors Alioto, Migden, Hallinan)

File 60-92-11, Resolution No. 882-92

(October 5, 1992 - Introduced in Board for consideration on October 13, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Kennedy, Migden, Shelley - 6.

Absent: Supervisors Achtenberg, Britt, Hallinan, Hsieh, Maher - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-41, Resolution No. 864-92

(Mayor Frank Jordan, October 11 - 13; Tom Hsieh, member, Board of Supervisors, November 2; Marie K. Brooks, member, Airports Commission, October 10 - 19; Ming Chang, member, Port Commission, October 14 - November 2; Libby Denebeim, member, Board of Education, September 10 - October 10; Katheryn Fong, member, Human Rights Commission, October 17 - November 4; Michael T. Hardeman, member, Public Utilities Commission, October 10 - 13; J. Stanley Mattison, Vice President, Airports Commission, October 6 - 15 and October 20 - 21; Jale McGoldrick, member, Rent Board, October 16 - 22; Patrick A. Murphy, President, Airports Commission, September 29 - 30 and October 5; Anthony Rodriguez, member, Police Commission, October 1 - 2 and October 3 - 5, 1992.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Proclamation]
Resolution urging his Honor, the Mayor, to proclaim the week of October 12 through October 18, 1992 County Hospital Week.

File 4-92-26, Resolution No. 865-92

Supervisor Hsieh presented for immediate adoption.

Adopted.

[Federal Legislation]
Resolution endorsing H.R. 1690, The National Native American University Act of 1991.

File 13-92-16, Resolution No. 866-92

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Kennedy, Migden, Shelley - 6.

Absent: Supervisors Achtenberg, Britt, Hallinan, Hsieh, Maher - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Commission on San Francisco's Environment]
Ordinance amending Administrative Code by adding Sections 5.150, 5.151 and 5.152, creating the Commission on San Francisco's Environment to advise the Board of Supervisors on legislation and policy related to the City's environment and ecology. (Supervisors Britt and Shelley presented.) Referred to Administration and Oversight Committee.

File 97-92-60

Referred to Board

[Street Closing]
Resolution authorizing temporary closing of portion of Eighth Avenue, between Lincoln Way and Irving Street on Saturday, October 31, 1992, 3:00 p.m. until 9:00 p.m. for a Halloween block party (Supervisor Shelley presented.) Referred to Board October 19, 1992 For Adoption Without Committee Reference Calendar.

File 42-92-54

[Street Closing]
Resolution authorizing temporary closing of portion of 16th Street, between Market and Sanchez Streets, on Saturday, October 31, 1992, from 4:00 p.m. to 7:00 p.m., for Halloween celebration and waiving the requirement that sponsor provide insurance. (Supervisor Britt presented.) Referred to Board October 19, 1992 For Adoption Without Committee Reference Calendar.

File 42-92-55

Referred to Committee

[Street Artist]
Resolution designating temporary Downtown area selling spaces for street artists certified by the Art Commission, for the Christmas season, 1992, beginning on November 15, 1992 and ending on January 15, 1993. (Supervisor Hallinan presented.) Referred to City Services Committee.

File 169-92-4

Referred to Board

[Police]
Resolution urging the Mayor to urge the Police Commission to allow Police Officer Bob Geary to use his professional judgment in using non-traditional "tools" to gain the trust of the public. (Supervisor Alioto presented.) Referred to Board October 19, 1992 For Adoption Without Committee Reference Calendar.

File 207-92-10

Referred to Committee

[Interactive Media Industry]
Resolution declaring it to be the policy of the Board of Supervisors to foster the growth of the Interactive Media Industry in the San Francisco Bay Area and to take various actions in furtherance of the growth of this industry in the San Francisco Bay Area. (Supervisors Gonzalez, Alioto, Shelley, Migden presented.) Referred to Economic and Social Policy Committee.

File 265-92-1

Referred to Board

[Federal Emergency Management Agency]
Resolution urging the Chief Administrative Officer to promptly appeal the Federal Emergency Management Agency decision to deny San Francisco's request for funding to assist the owners of property on 7th Avenue whose homes were damaged as a result of the Loma Prieta earthquake. (Supervisor Shelley presented.) Referred to Board October 19, 1992 For Adoption Without Committee Reference Calendar.

File 270-92-5

Report by the General Manager, Municipal Railway, or his representative, on the maintenance problems with the light rail vehicles, whether substitutes for the LRVs are available and to assess the impact of the maintenance cuts on the availability of said vehicles. Scheduled for Board meeting of October 19, 1992, by direction of the President at the request of Supervisor Hallinan.

File 7-92-8

Requests for Hearings

File 207-92-11, By Supervisor Gonzalez: To consider joint report by the Budget Analyst and Controller which would indicate the status of recommendations to reform the 911 emergency system made by the 1987 and 1991 audits and the 1990 Mayor's Task Force on the 911 emergency system. Referred to City Services Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 34-92-1. [Width of Sidewalk] Amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1507 changing the official width of sidewalk on The Embarcadero Corridor Project Area as shown on Department of Public Works maps numbered from Q-20-391 to Q-20-399 inclusive; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works) City Services

File 45-92-64. [Settlement of Litigation] Authorizing settlement of litigation of Lumir J. Cerny against the City and County of San Francisco, et al, by payment of $10,000. (City Attorney) Administration and Oversight

File 48-92-22. [Settlement of Lawsuit] Authorizing settlement of claim numbers 9100987 and 9100992 filed against the City and County of San Francisco, et al., by payment of $36,000. (City Attorney) Administration and Oversight

File 47-92-6.1. [Garage Lease Documents] Approving and adopting St. Mary's Square garage legal documents and authorization for management agreement. (Real Estate Department) Finance

File 97-92-55. [Credit Cards] Amending Administrative Code by amending Section 10.11-1 thereto, relating to the acceptance of credit cards at Department of Public Health facilities. (City Attorney) City Services

File 164-92-4.1. [Street Vacation] Ordering vacation of a portion of Main Street at The Embarcadero; and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 164-92-4. (Real Estate Department) Economic and Social Policy

Resolutions Referred to Committee

File 94-92-10. [Grant - Federal Funds] Authorizing the Public Utilities Commission/Bureau of Energy Conservation to apply for, accept and expend funds of $50,000 from the U.S. Department of Energy and the Urban Consortium for energy management activities; ratification of action previously taken. (Public Utilities Commission) Finance

File 156-92-4. [Federal Funding] Approving a 1992-93 Expenditure Plan for refugee employment and training funds and authorizing the President of the Private Industry Council of San Francisco, Inc., to sign, enter into, and execute State contract. (Private Industry Council) Finance

File 164-92-4. [Street Vacation] Declaring intention of Board of Supervisors to vacate a portion of Main Street between Bryant Street and The Embarcadero; and setting the hearing date for all persons interested in the proposed vacation; companion measure to File 164-92-4.1. (Real Estate Department) Economic and Social Policy

File 200-92-2. [Flower Stand Permit] Approving assignment of permit to operate a flower stand on the south side of Market Street within 100 feet of the westerly line of Fifth Street. (Department of Public Works) City Services

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter be sent to his Honor, the Mayor, urging him to work with the U.S. Navy in negotiating a limitation on where the Blue Angels can fly.

By Supervisor Gonzalez, that Budget Analyst review and give status report updating the inventory of the City's surplus property.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Rex Mills, Sr. (Supervisor Kennedy)
Webster Guillory (Supervisor Kennedy)

File 2-92-41

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:20 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on MAY 10 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 87 No. 42

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Monday, October 19, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 19, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Noted absent at first roll call:

Supervisors Gonzalez, Maher - 2.

Quorum present.

Supervisor Gonzalez was noted present at 2:31 p.m.

Supervisor Maher excused, on official leave of absence.

Report Received

[State of the City]
State of the City Message by Mayor Frank M. Jordan.

File 88-92-1

The Mayor appeared and began his State of the City statement as follows:

State of the City
October 19, 1992

"President Shelley, Members of this Honorable Board, and fellow citizens of San Francisco. The City Charter requires that I report to you on the State of the City.

I do so with mixed emotion - trepidation at the desperate state of our national economy - and optimism that, San Franciscans, we can overcome adversity.

Never since the Great Depression of the 1930's has the City faced a more grim and troubled fiscal crisis.

But, at the same time, we face the exciting adventure that, by working together, we can maintain a high level of public service - police on the streets, clinics and libraries open, parks in bloom and public transit within easy reach of every San Franciscan.

To be sure, we will have to trim and cut back on some of the more costly levels of service.

Tough decisions are inevitable - and, in cooperation and consultation with your honorable Board - I am prepared to make them."

The Mayor focused his speech on the budget and also discussed efforts to help the homeless, provide health care for AIDS patients, police on streets and keeping the Giants baseball team in San Francisco. He pledged to keep a close working relationship with the Board of Supervisors and closed his statement with a brief tribute to Supervisor Harry Britt, who is leaving the Board after 14 years.

(A copy of the full text of the Mayor's State of the City message is on file with the Clerk of the Board of Supervisors.)

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Gonzalez requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Passed for Second Reading as Amended

[Renaming Civic Auditorium]
Ordinance amending Administrative Code, to rename the Civic Auditorium the "Bill Graham Civic Auditorium". (Supervisors Gonzalez, Migden, Hallinan, Achtenberg, Maher, Conroy, Kennedy, Alioto, Shelley, Britt)

File 97-92-58, Ordinance No.

(Adds Section 4.21.)

Supervisor Gonzalez, seconded by Supervisor Migden, moved to amend page two, line 16, after "Bill Graham" by inserting "Civic" before "Auditorium".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Hsieh, Maher - 3.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Hsieh, Maher - 3.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Environmental Review Fees]
Ordinance amending Administrative Code, concerning fees for zoning and public information, and construction services related to development projects and permit processing. (Department of City Planning)

File 97-92-56, Ordinance No. 317-92

(Amends Section 31.46A.)

Finally passed.

[Planning Fees]
Ordinance amending City Planning Code, to impose new fees for zoning and public information, construction services and compliance activities related to development projects and permit processing. (Department of City Planning)

File 115-92-11, Ordinance No. 319-92

(Adds new Section 371;
Renumbers previous Section 371 to Section 372.)

Finally passed.

[Marine Terminal Use Agreement]
Ordinance approving a five year Marine Terminal Use Agreement with National Shipping Corporation of the Philippines for use of the North Container Terminal (Pier 80). (Port)

File 173-92-3, Ordinance No. 320-92

Finally passed.

Recommendation of City Services Committee

Finally Passed

[Student Training - Health]
Ordinance amending Administrative Code, authorizing the Department of Public Health to provide training to students of the allied health professions in any accredited program. (Department of Public Health)

File 97-92-45, Ordinance No. 318-92

(Amends Section 19A.10.)

Finally passed.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Hank Scoepp against the City and County by payment of $40,000. (City Attorney)

File 45-92-49, Ordinance No.

(Superior Court No. 905 154.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Patricia F. et al., against the City and County. (City Attorney)

File 45-92-55, Ordinance No.

(Superior Court No. 936 004.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Kwok-Keung Yan against the City and County by payment of $7,000. (City Attorney)

File 45-92-56, Ordinance No.

(DFEH Charge No. FEP 90-91-A8-0258p.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Carlos Eduardo Cordon against the City and County by payment of $15,500. (City Attorney)

File 45-92-57, Ordinance No.

(U.S. District Court No. C91-4215-RHS)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Kish against the City and County by payment of $83,416.71. (City Attorney)

File 45-92-58, Ordinance No.

(Superior Court No. 936 356.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Edward J. Schach, et al., v. Harry Britt, et al., by payment of $675,000. (City Attorney)

File 45-92-61, Ordinance No.

(Superior Court No. 716 384 and Court Appeal No. A036103)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of City and County v. Frederick C. Kracke. (City Attorney)

File 46-92-19, Ordinance No.

Passed for second reading.

Adopted

[Acceptance of Gift]
Resolution accepting of gift of calligraphy donated by Frederick C. Kracke and Florence Phillips to be retained by the San Francisco Public Library; companion measure to File 46-92-19. (City Attorney)

File 38-92-24, Resolution No. 891-92

Adopted.

[State Disability Insurance]
Resolution authorizing enrollment of Classification 9765 Assistant to Chief Administrative Officer VI in the State Disability Insurance Program. (Employee Relations Division)

File 89-92-17, Resolution No. 894-92

Adopted.

[State Disability Insurance]
Resolution authorizing enrollment of Classification 5297 Planner V (Zoning) in the State Disability Insurance Program. (Employee Relations Division)

File 89-92-18, Resolution No. 895-92

Adopted.

[State Disability Insurance]
Resolution authorizing enrollment of Classification 8155 Chief, Bureau of Investigation and Claims Administration, Office of the City Attorney in the State Disability Insurance Program. (Employee Relations Division)

File 89-92-19, Resolution No. 896-92

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Hsieh, Maher - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance adjusting revenue and expenditure appropriations for various departments of the General Fund, Traffic Fines Fund, Welfare Assistance and Administration Fund, Tobacco Tax Fund, Health and Welfare Realignment Fund, Narcotics Forfeiture Fund, Cable TV Access Development Fund, Taxicab Enforcement Fund, Children's Fund, Open Space Fund, Recreation and Park Special Revenue Fund, State authorized fund, Internal Service fund-Controller IDS, Internal Service Fund-Real Estate, Internal Service Fund-Electricity, Public Utilities Commission Fund, Interdepartmental Work Order Fund, Special Revenue-Stores Inventory Fund, Public Utilities Commission-Personnel Fund, DPW-Support Services Fund, DPW Personnel Fund, Airport Operating Fund, Municipal Railway operating fund, S.F. Harbor operating fund, S.F. General Hospital operating fund, S.F. General Hospital work order fund, Laguna Honda Hospital operating fund, deleting eighty-six (86) positions, reflecting budget adjustments for fiscal year 1992-93 resulting from State Budget reductions. (Supervisor Gonzalez)

File 101-92-7, Ordinance No. 313-92

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 7.

Noes: Supervisor Conroy - 1.

Absent: Supervisors Achtenberg, Hsieh, Maher - 3.

[Government Funding]
Ordinance appropriating $38,804, Department of Public Health for permanent salaries and fringe benefits for creation of one position (2978F Contract Compliance Officer), for fiscal year 1992-93.

File 101-92-7.1, Ordinance No.

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

From Finance Committee without Recommendation

Adopted

[Airport Revenue Bonds]
Resolution approving the issuance of not to exceed $305,000,000 principal amount of San Francisco International Airport Second Series Refunding Revenue Bonds in up to three separate issues, and establishing a maximum interest rate therefor. (Airports Commission)

File 170-92-11, Resolution No. 871-92

Supervisor Hallinan, seconded by Supervisor Britt, moved to continue consideration to October 26, 1992.

Motion to continue refused adoption by the following vote:

Ayes: Supervisor Hallinan - 1.

Noes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisor Maher - 1.

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Lease]
Ordinance approving lease between Recreation and Park with Theatre Bay Area to operate a discount ticket booth at Union Square Garage; requesting the lessee to provide discount memberships to at least 50 members of the Recreation and Park Department's Young People's Teen Musical Theater. (Recreation and Park Department)

File 65-92-13, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Adopted

[Street Closing]
Resolution waiving the requirement that the sponsor of the Annual Halloween street closing in the Castro Street area provide insurance; waiving all fees except for the street closure permit fee and the loudspeaker permit filing fee; and urging the sponsor to make good faith efforts to raise funds to defray the costs incurred in conducting the street closing. (Supervisor Britt)

File 42-92-25, Resolution No. 892-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Grant - Federal Funds]
Resolution authorizing the Public Utilities Commission to apply for, accept and expend $1,500,000 in Federal Capital Assistance including the required local contribution from the Clean Air and Transportation Improvement Act of 1990 funds and/or State Transit Assistance funds and/or Bridge Toll Net Revenues and/or San Francisco Municipal Railway Improvement Corporation funds and/or Transportation Sales Tax revenues to provide financing for the design and rehabilitation of the Municipal Railway's fixed facilities; placing $1,273,862 on reserve. (Public Utilities Commission)

File 94-92-8, Resolution No. 906-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Gonzalez, Maher - 3.

[Grant - Federal Funds]
Resolution authorizing the Public Utilities Commission to apply for, accept and expend $15,000,000 of Federal Capital Assistance and $2,647,059 in required local match funds to acquire trolley coaches; placing $17,250,382 on reserve. (Public Utilities Commission)

File 94-92-9, Resolution No. 907-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Gonzalez, Maher - 3.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, to accept and expend a grant of $630,399, which includes indirect costs in the amount of $30,580, based on twenty percent of salaries from the Federal Bureau of Health Care Delivery Assistance for linked primary care and substance abuse services; providing for ratification of action previously taken. (Department of Public Health)

File 146-92-69, Resolution No. 908-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Gonzalez, Maher - 3.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health, Child Health and Disability Prevention Program (CHDP), to accept and expend an allocation in the total amount of $2,187,178, which includes indirect costs in the amount of $251,836, based on seventeen percent of salaries from the State Department of Health Services for child health and disability prevention services; providing for ratification of action previously taken. (Department of Public Health)

File 146-92-70, Resolution No. 909-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Gonzalez, Maher - 3.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Community Health Program, Family Health Bureau, to apply for, accept and expend a grant of $1,384,872, which includes indirect costs in the amount of $97,447, based on ten percent of personnel cost from the State Department of Health Services for WIC services; providing for ratification of action previously taken. (Department of Public Health)

File 146-92-71, Resolution No. 910-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Gonzalez, Maher - 3.

[Grant - Federal Funds]
Resolution authorizing the San Francisco Public Library to accept and expend $85,000 in grant funds from the U.S. Department of Education Library Services and Construction Act (LSCA) for the purchase of foreign language materials for the fiscal year 1992-93; waiving indirect costs. (Public Library)

File 147-92-3.1, Resolution No. 911-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Gonzalez, Maher - 3.

[Grant - Federal Funds]
Resolution authorizing the Department of Social Services to accept and expend, retroactively, the third year grant funds from the Department of Health and Human Services, Maternal and Child Health Bureau in the amount of $172,800 including the indirect cost of $8,228 which is based on five percent of the total direct charges, and a required match in the amount of $168,000 consisting of Department of Social Services in-kind services, for Federal fiscal year 1992-93 for development of case management services to medically fragile and HIV positive infants; and authorizing the General Manager of the Department of Social Services to sign agreements for services provided through contractors funded by this grant. (Department of Social Services)

File 153-92-4, Resolution No. 912-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Gonzalez, Maher - 3.

[Groundlease of Redevelopment Agency Land]
Resolution approving the Redevelopment Agency of the City and County lease of the land at Assessor's Block 3726, Lots 13 and 15, commonly known as 1028 Howard Street, to 1028 Howard Street Associates, a California Limited Partnership for 99 years for the purpose of developing a housing project for very low and low income households. (Supervisor Gonzalez)

File 161-92-6, Resolution No. 913-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Gonzalez, Maher - 3.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Benefits for Unrepresented Employees]
Ordinance approving the provision of dental benefits and two paid furlough days for fiscal year 1992-93 to qualified unrepresented employees who sign a waiver regarding the 1991-92 wage freeze; providing for ratification of action previously taken. (Mayor)

File 93-92-33, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Gonzalez, Maher - 3.

Adopted

[Appointment]
Resolution appointing member to the Advisory Council to the Commission on the Aging. (Administration and Oversight Committee)

File 92-91-2, Resolution No. 897-92

(Donna Calame, vice Harold B. Brooks, term expired, for two-year term ending March 31, 1993.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Gonzalez, Maher - 3.

[Meeting Schedule]
Resolution revising the regular meeting schedule of the Board of Supervisors by cancelling the meetings of November 30 and December 28, 1992. (Clerk of the Board)

File 54-92-5, Resolution No. 893-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Gonzalez, Maher - 3.

[Appointments]
Resolution appointing members to the Park and Open Space Advisory Committee, terms expired, for two-year terms ending July 15, 1994. (Administration and Oversight Committee)

File 92-92-26, Resolution No. 898-92

(Lonnie Lawson, vice himself;
Lauri Irving, vice Geraldine Earp;
Alan Weaver, vice Louis Loewenstein.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Gonzalez, Maher - 3.

[Appointments]
Resolution appointing member to the Assessment Appeals Board. (Administration and Oversight Committee)

File 92-92-30, Resolution No. 899-92

(Peter J. Fatooh, vice Thomas P. Brady, term expired, for a three-year term ending September 7, 1995)

Supervisor Conroy Excused from Voting

On advise of the City Attorney, Supervisor Conroy requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Hsieh, seconded by Supervisor Gonzalez, moved to excuse Supervisor Conroy from voting:

Motion to excuse Supervisor Conroy from voting adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Gonzalez, Maher - 3.

Supervisor Hsieh, seconded by Supervisor Hallinan, moved to continue consideration to November 9, 1992.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Hallinan, Hsieh, Kennedy - 3.

Excused: Supervisor Conroy - 1.

Noes: Supervisors Alioto, Britt, Gonzalez, Migden, Shelley - 5.

Absent: Supervisors Achtenberg, Maher - 2.

The roll was called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 7.

Excused: Supervisor Conroy - 1.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Achtenberg, Maher - 2.

[Appointments]
Resolution appointing member to the Delinquency Prevention Commission. (Administration and Oversight Committee)

File 92-92-32, Resolution No. 900-92

(Glen Eagleson, vice Pauline Chu, resigned, for the unexpired portion of term ending December 31, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Appointment]
Resolution appointing member to the Drug Abuse Advisory Board. (Administration and Oversight Committee)

File 92-92-33, Resolution No. 901-92

(Donald Sanders, public slot, vice Wilbert K. Battle, Sr., resigned, for the unexpired portion of term ending October 1, 1993.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Maher - 3.

[Appointment]
Resolution appointing member to the Senior Services Plan Task Force. (Administration and Oversight Committee)

File 92-92-36, Resolution No. 902-92

(Lee Ann Monfredini, Commission on the Aging, vice Betty Lou Treguboff, resigned, for the unexpired portion of term ending July 1, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Maher - 3.

[Appointment]
Resolution appointing member to the Mental Health Advisory Board. (Administration and Oversight Committee)

File 92-92-39, Resolution No. 903-92

(Richard H. Samples, Jr., vice M. Roy Crew, consumer, resigned, for the unexpired portion of term ending January 31, 1993.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Maher - 3.

[Appointments]
Resolution appointing members to the City-Wide Alcoholism Advisory Board. (Administration and Oversight Committee)

File 92-92-43, Resolution No. 904-92

(Joe Caruso, vice Frank Spinelli, resigned, for the unexpired portion of the three-year term ending July 1, 1995;

Louis J. Dunn, vice Alonzo Gallaread, removed, for the unexpired portion of the three-year term ending July 1, 1994;

Robert L. Nelson, Jr., vice Gonzalo Gonzalez, removed, for the unexpired portion of the three-year ending July 1, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Maher - 3.

[Appointments]
Resolution appointing members to the Drug Abuse Advisory Board, terms expired, for the three-year terms, ending October 1, 1995. (Administration and Oversight Committee)

File 92-92-44.1, Resolution No. 905-92

Mary A. Robinson, public slot, vice herself;
Jacquie H. Hansen, public slot, vice herself;
Iris C. Garcia, public slot, vice Jess Centeno.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Maher - 3.

From the Board

Report Given

Report by the General Manager, Municipal Railway, or his representative, on the maintenance problems with the light rail vehicles, whether substitutes for the LRVs are available and to assess the impact of the maintenance cuts on the availability of said vehicles.

File 7-92-8

A representative from the Municipal Railway appeared and spoke to a report on The Effects Of Fiscal Year 1992-93 Budget Reductions On Municipal Railway's Light Rail Vehicle Maintenance Program, dated October 19, 1992 (copy of which is on file with the Clerk of the Board of Supervisors).

COMMITTEE REPORTS

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Juan Gamez against the City and County by payment of $47,500. (City Attorney)

File 45-92-59, Ordinance No.

(U.S. District Court No. C90-3150-VRW)

Supervisor Hallinan presented as recommendation of Administration and Oversight Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Sean Ormsby against the City and County by payment of $12,000. (City Attorney)

File 45-92-60, Ordinance No.

(U.S. District Court No. C-91-3915-SBA)

Supervisor Hallinan presented as recommendation of Administration and Oversight Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Helen DaSilva, et al., against the City and County by payment of $65,000. (City Attorney)

File 45-92-62, Ordinance No.

(Superior Court No. 934 606)

Supervisor Hallinan presented as recommendation of Administration and Oversight Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Lula Kirby against the City and County by payment of $7,000. (City Attorney)

File 45-92-63, Ordinance No.

(Superior Court No. 930 689)

Supervisor Hallinan presented as recommendation of Administration and Oversight Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Olivia Lee v. American Telephone and Telegraph Co., et al., upon receipt of the sum of $5,000 and release of lien. (City Attorney)

File 46-92-20, Ordinance No.

(Superior Court No. 902 543)

Supervisor Hallinan presented as recommendation of Administration and Oversight Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Antoinetta Williams v. Jehad Husary, et al., upon receipt of the sum of $7,500 and dismissal of complaint. (City Attorney)

File 46-92-21, Ordinance No.

(Municipal Court No. 056 700)

Supervisor Hallinan presented as recommendation of Administration and Oversight Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Settlement of Claim]
Ordinance approving the settlement of the unlitigated claim of James C. Brooks by payment of $7,000. (City Attorney)

File 48-92-21, Ordinance No.

Supervisor Hallinan presented as recommendation of Administration and Oversight Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Dehnert Queen.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference

Supervisor Shelley requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

[Street Closing]
Resolution authorizing temporary closing of portion of Eighth Avenue, for a Halloween block party (Supervisor Shelley)

File 42-92-54, Resolution No.

(Eighth Avenue, between Lincoln Way and Irving Street on Saturday, October 31, 1992, 3:00 p.m. until 9:00 p.m.)

(October 13, 1992 - Introduced in Board for consideration on October 19, 1992.)

Supervisor Shelley, seconded by Supervisor Conroy, moved to continue consideration to October 26, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Britt, Hsieh, Maher, Migden - 5.

On advice of the City Attorney, the President directed the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Scheduled For Public Hearing;
Consideration Continued

[Street Closing]
Resolution authorizing temporary closing of portion of 16th Street, for Halloween celebration and waiving the requirement that sponsor provide insurance. (Supervisor Britt)

File 42-92-55, Resolution No.

(16th Street, between Market and Sanchez Streets, on Saturday, October 31, 1992, from 4:00 p.m. to 7:00 p.m.)

(October 13, 1992 - Introduced in Board for consideration on October 19, 1992.)

The City Attorney has advised that this matter must be handled as an appeal from an Interdepartmental Staff Committee on Traffic and Transportation denial of a temporary street closing rather than a late application. Thus an appeal hearing is required. The Clerk recommends the appeal hearing be calendared for the Board of Supervisors meeting on October 26, 1992 at 3:00 p.m.

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to continue consideration and schedule public hearing appealing the decision of the Interdepartmental Staff Committee on Traffic and Transportation for October 26, 1992 at 3:00 p.m.

Motion to continue consideration and schedule public hearing adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Britt, Hsieh, Maher, Migden - 5.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference

Adopted

[Police]
Resolution urging the Mayor to urge the Police Commission to allow Police Officer Bob Geary to use his professional judgment in using non-traditional "tools" to gain the trust of the public. (Supervisor Alioto)

File 207-92-10, Resolution No. 932-92

(October 13, 1992 - Introduced in Board for consideration on October 19, 1992.)

Adopted.

[Federal Emergency Management Agency]
Resolution urging the Chief Administrative Officer to promptly appeal the Federal Emergency Management Agency decision to deny San Francisco's request for funding to assist the owners of property on 7th Avenue whose homes were damaged as a result of the Loma Prieta earthquake. (Supervisor Shelley)

File 270-92-5, Resolution No. 914-92

(October 13, 1992 - Introduced in Board for consideration on October 19, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Britt, Hsieh, Maher, Migden - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-42, Resolution No. 868-92

(Mary Gomez Daddio, member, Human Rights Commission, October 16 - 18, 1992.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Louis' Restaurant]
Resolution declaring the desire of the Board of Supervisors to see Louis' Restaurant remain in its current location in the Sutro Heights area, and urging his Honor, the Mayor, to urge the Golden Gate National Recreation Area to keep Louis' Restaurant in its present location as they proceed with their Sutro area improvement plans.

File 13-92-17, Resolution No. 875-92

Supervisor Conroy presented for immediate adoption.

Adopted.

[Federal Legislation]
Resolution urging the passage of HR 429, relating to water utilization.

File 13-92-18, Resolution No. 869-92

Supervisor Maher presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Godeus Street, between Mission and Coleridge Streets on Saturday, October 24, 1992, 12 noon until 11:00 p.m. for a block party.

File 42-92-56, Resolution No. 870-92

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Britt, Hsieh, Maher - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Transfer of Sick Leave and Vacation Benefits]
Ordinance amending Administrative Code by amending Section 16.9-29, relating to the transfer of sick leave and vacation benefits to catastrophically ill employees, by eliminating the limitation on the maximum number of hours that can be transferred to an employee for any single catastrophic illness. (Supervisor Kennedy presented.) Referred to Economic and Social Policy Committee.

File 97-92-62

[Medical Waste Generator Procedures, Fees]
Ordinance amending Health Code by adding Article 25, Sections 1401 through 1413, to provide a program for enforcement of the California Medical Waste Management Act and for registration, permitting, inspections and administrative fees for medical waste generators, treatment and storage facilities. (Supervisor Alioto presented.) Referred to Finance Committee.

File 118-92-8

[Service Authority for Freeways and Expressways]
Resolution authorizing the Metropolitan Transportation Commission to act as a Service Authority for Freeways and Expressways (SAFE) in the City and County of San Francisco. (Supervisor Britt presented.) Referred to Economic and Social Policy Committee.

File 85-92-1

Referred to Board

[Street Artists]
Resolution designating temporary Downtown Area selling spaces for street artists certified by the Art Commission, for the Christmas Season, 1992, beginning on November 15, 1992 and ending on January 15, 1993. (Supervisor Hallinan presented.) Referred to Board October 26, 1992 For Adoption Without Committee Reference Calendar.

File 169-92-4.1

Requests for Hearings:

File 75-92-4, By Supervisor Kennedy: To consider renaming Fitch Street to Arelious Walker Drive. Referred to City Services Committee.

File 197-92-5, By Supervisor Hallinan: To consider the final recommendations of the Cultural Affairs Task Force. Referred to Finance Committee with request it be considered at the October 28, 1992 meeting.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 27-92-10. [Airport - Lease Modification] Approving Modification No. 1 of land lease between American Airlines, Inc. and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Finance

File 45-92-65. [Settlement of Litigation] Authorizing settlement of litigation of Bennie Alexander, et al. against the City and County of San Francisco by payment of $100,000. (City Attorney) Administration and Oversight

File 47-92-7. [Vallejo Street Garage] Authorizing the San Francisco Parking Authority, acting on behalf of the City, to terminate the City's lease with Metropolitan Parking Corporation for the operation of the Vallejo Street garage, and to award an interim, temporary operating agreement for operation of such garage until a public bidding procedure for the long-term operation of the garage is completed. (Department of Parking and Traffic) Finance

File 97-92-59. [Public Health Contracts] Amending Administrative Code by adding Section 19A.31 to permit the Department of Public Health to enter into indemnification agreements with the California Family Planning Council enabling the Department of Public Health to participate in family planning services. (Department of Public Health) Finance

File 97-92-61. [Fee Surcharges] Amending Administrative Code by adding Chapter 10F, to establish a surcharge on plan, permit environmental review, and related fees to recover costs for acquiring office space at 1660 Mission Street; companion measure to File 172-92-15. (Chief Administrative Officer) Finance

File 172-92-15. [Agreement] Approving and authorizing the execution and delivery of an agreement of purchase and sale for real estate, (including certain indemnities and the release of the seller contained therein), an assignment of agreement for purchase and sale agreement of real estate, a facilities lease (including certain indemnities contained therein), a trust agreement (including certain indemnities contained therein), and an official statement; authorizing the distribution of an official notice inviting bids in connection with the City and County of San Francisco Certificates of Participation (1660 Mission Street Project) Series 1993; authorizing the Chief Administrative Officer to fix rents to be charged and to submit budgets for approval; authorizing and ratifying execution of documents reasonably necessary for the execution, delivery and sale of the Certificates of Participation; and adopting findings pursuant to City Planning Code Section 101.1, all in connection with the acquisition and leasing of the 1660 Mission Street property; companion measure to File 97-92-61. (Chief Administrative Officer) Finance

Resolution Referred to Committee

File 172-92-14. [Agreement - Federal Transit Administration] Authorizing the Public Utilities Commission to execute a Full Funding Grant Agreement with the Federal Transit Administration for the Municipal Railway Metro Turnback Project. (Public Utilities Commission) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Shelley, that letter of inquiry be sent to Director of Public Works to determine the reasons for granting a new permit for 570 Page Street given the previous decision not to reinstate an expired permit and given the potentially harmful effects on the neighborhood by the proposed development.

By Supervisor Alioto, that letter of inquiry be sent to Director of Parking and Traffic to ascertain whether any action has been taken or feasibility studies done regarding the move of the Municipal Railway bus stop from the middle of the 3200 block of Folsom to near the crosswalk at Montezuma and any studies done regarding the adherence of traffic laws and possible safety improvements near the Immaculate Conception Elementary School on Folsom Street, between Bernal Heights Boulevard and Precita Street.

By Supervisor Alioto, that letter be sent to Director of Parking and Traffic to inquire about any background information or feasibility studies regarding the issuance of special permits to allow certain persons to park in any residential parking area and would establish qualifications and procedures so that those who have a legitimate need for such a special permit, such as the Visiting Nurses, could obtain them.

By Supervisor Gonzalez, that letter be sent to Director of Parking and Traffic, to inquire whether the Department can investigate the feasibility of installing Stop signs in key locations in the Glen Park neighborhood, including the intersection of Elk and Chenery Streets.

By Supervisor Gonzalez, that City Attorney prepare resolution urging his Honor, the Mayor, to declare and issue a proclamation making December 8, 1992, which is International Human Rights Day, as "Rigoberta Menchu Day in San Francisco" in honor of her work in behalf of human rights for the people of Guatemala and for receiving the 1992 Nobel Peace Prize Award.

By Supervisor Hallinan, that the Clerk of the Board of Supervisors prepare legislation eliminating the Board of Supervisors' vehicle from the budget for consideration at the Administration and Oversight Committee October 27, 1992 meeting.

ADJOURNMENT

There being no further business, the Board at the hour of 4:35 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on MAY 10 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 87 No. 43

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Monday, October 26, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 26, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:13 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Noted absent at first roll call:

Supervisors Alioto, Britt, Maher - 3.

Quorum present.

Supervisor Alioto was noted present at 2:14 p.m.

Supervisor Britt was noted present at 2:52 p.m.

CONSENT CALENDAR

Recommendation of Finance Committee

Finally Passed

[Lease]
Ordinance approving lease between Recreation and Park with Theatre Bay Area to operate a discount ticket booth at Union Square Garage; requesting the lessee to provide discount memberships to at least 50 members of the Recreation and Park Department's Young People's Teen Musical Theater. (Recreation and Park Department)

File 65-92-13, Ordinance No. 355-92

Finally passed.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Hank Scoepp against the City and County by payment of $40,000. (City Attorney)

File 45-92-49, Ordinance No. 321-92

(Superior Court No. 905-154.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Patricia F. et al., against the City and County. (City Attorney)

File 45-92-55, Ordinance No. 322-92

(Superior Court No. 936-004.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Kwok-Keung Yan against the City and County by payment of $7,000. (City Attorney)

File 45-92-56, Ordinance No. 323-92

(DFEH Charge No. FEP 90-91-A8-0258p.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Carlos Eduardo Cordon against the City and County by payment of $15,500. (City Attorney)

File 45-92-57, Ordinance No. 324-92

(U.S. District Court No. C91-4215-RHS)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Kish against the City and County by payment of $83,416.71. (City Attorney)

File 45-92-58, Ordinance No. 325-92

(Superior Court No. 936 356.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Juan Gamez against the City and County by payment of $47,500. (City Attorney)

File 45-92-59, Ordinance No. 326-92

(U.S. District Court No. C90-3150-VRW)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Sean Ormsby against the City and County by payment of $12,000. (City Attorney)

File 45-92-60, Ordinance No. 327-92

(U.S. District Court No. C-91-3915-SBA)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Edward J. Schach, et al., v. Harry Britt, et al., by payment of $675,000. (City Attorney)

File 45-92-61, Ordinance No. 328-92

(Superior Court No. 716 384 and Court Appeal No. A036103)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Helen DaSilva, et al., against the City and County by payment of $65,000. (City Attorney)

File 45-92-62, Ordinance No. 329-92

(Superior Court No. 934 606)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Lula Kirby against the City and County by payment of $7,000. (City Attorney)

File 45-92-63, Ordinance No. 330-92

(Superior Court No. 930 689)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of City and County v. Frederick C. Kracke. (City Attorney)

File 46-92-19, Ordinance No. 331-92

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Olivia Lee v. American Telephone and Telegraph Co., et al., upon receipt of the sum of $5,000 and release of lien. (City Attorney)

File 46-92-20, Ordinance No. 332-92

(Superior Court No. 902 543)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Antoinetta Williams v. Jehad Husary, et al., upon receipt of the sum of $7,500 and dismissal of complaint. (City Attorney)

File 46-92-21, Ordinance No. 333-92

(Municipal Court No. 056 700)

Finally passed.

[Settlement of Claim]
Ordinance approving the settlement of the unlitigated claim of James C. Brooks by payment of $7,000. (City Attorney)

File 48-92-21, Ordinance No. 334-92

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley - 8.

Absent: Supervisors Britt, Maher, Migden - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

[Renaming Civic Auditorium]
Ordinance amending Administrative Code, to rename the Civic Auditorium the "Bill Graham Civic Auditorium". (Supervisors Gonzalez, Migden, Hallinan, Achtenberg, Maher, Conroy, Kennedy, Alioto, Shelley, Britt)

File 97-92-58, Ordinance No. 336-92

(Adds Section 4.21.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Migden, Shelley - 8.

Absent: Supervisors Britt, Kennedy, Maher - 3.

Recommendation of Administration and Oversight Committee

Consideration Continued

[Benefits for Unrepresented Employees]
Ordinance approving the provision of dental benefits and two paid furlough days for fiscal year 1992-93 to qualified unrepresented employees who sign a waiver regarding the 1991-92 wage freeze; providing for ratification of action previously taken. (Mayor)

File 93-92-33, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Migden, moved to continue consideration to November 2, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Garage Lease Documents]
Ordinance approving and adopting St. Mary's Square garage legal documents and authorization for management agreement. (Real Estate Department)

File 47-92-6.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

[Public Health Contracts]
Ordinance amending Administrative Code, to permit the Department of Public Health to enter into indemnification agreements with the California Family Planning Council enabling the Department of Public Health to participate in family planning services; effective retroactive to October 1, 1992. (Department of Public Health)

File 97-92-59, Ordinance No.

(Adds Section 19A.31.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

[Board of Permit Appeals Fees]
Ordinance amending Part III of the Municipal Code, to increase specified Board of Permit Appeals filing fees. (Board of Permit Appeals)

File 127-92-9, Ordinance No.

(Amends Section 8.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

Adopted

[Reimbursement to Employees]
Resolution authorizing reimbursement for costs of personal property of City and County employees damaged or stolen in line of duty. (Finance Committee)

File 51-92-2, Resolution No. 928-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

[Grant - Federal Funds]
Resolution authorizing the Public Utilities Commission/Bureau of Energy Conservation to apply for, accept and expend funds in the amount of $50,000, which includes indirect costs of $15,100 based on 50 percent of personnel costs plus 2 percent of operating expenses, from the U.S. Department of Energy and the Urban Consortium for energy management activities; ratification of action previously taken. (Public Utilities Commission)

File 94-92-10, Resolution No. 929-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of $2,102,567, which includes indirect costs of $241,709 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding AIDS Surveillance Project; placing $11,707 on reserve. (Department of Public Health)

File 146-92-52.1, Resolution No. 915-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

[Federal Funding]
Resolution approving a 1992-93 Expenditure Plan for refugee employment and training funds; authorizing, retroactively, the President of the Private Industry Council of San Francisco, Inc., to sign, enter into, and execute State contract; and authorizing the Private Industry Council to accept and expend refugee employment and training funds in the amount of $852,781 from the California Department of Social Services. (Private Industry Council)

File 156-92-4, Resolution No. 930-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

[Agreement - Federal Transit Administration]
Resolution authorizing the Public Utilities Commission to execute a full funding grant agreement with the Federal Transit Administration for the Municipal Railway Metro Turnback Project. (Public Utilities Commission)

File 172-92-14, Resolution No. 931-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

Adopted as Amended

[Children's Services Plan]
Resolution urging the Mayor to utilize the 1992/93 Children's Services Plan ("CSP") as the foundation for the development of the 1993/94 CSP and to continue funding, during the next fiscal year, for those community based organizations selected to provide services identified in the 1992/93 CSP. (Supervisor Achtenberg)

File 185-92-4, Resolution No. 927-92

Supervisor Achtenberg, seconded by Supervisor Migden, moved to amend page two, line 13, after "(10/1/93-7/30/94)" by inserting "for

baseline services" and amend page two, line 18, after "CSP" by inserting "for baseline services; this does not preclude such community based organization from applying for additional monies under a separate application".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

Recommendations of City Services Committee

Adopted

[Permit]
Resolution granting revocable permission to Fillmore Center Associates to install conduits under O'Farrell and Eddy Streets, west of Fillmore Street, for life safety and security systems at Fillmore Center (Block 707, Lots 20-42; Block 731, Lot 17 and Block 750, Lot 19); and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-92-5, Resolution No. 922-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

[Permit]
Resolution granting revocable permission to Kaiser Foundation Hospital to realign the curb, construct a plaza and other related street improvements at the southwest corner of Geary Boulevard and St. Joseph's Avenue fronting 2425 Geary Boulevard (Assessor's Block 1095, Lot 19); and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-92-6, Resolution No. 923-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Britt, Maher - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Appeal Hearing]
Hearing appealing decision of the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) letter, dated October 8, 1992 denying The Sisters of Perpetual Indulgence, Inc. application for approval of temporary closing of Sixteenth Street between Market and Sanchez Streets from 4:00 p.m. to 7:00 p.m., Saturday, October 31, 1992 for a Halloween Celebration.

File 42-92-55

The privilege of the floor was granted to the following persons:

Ken Bunch;
Don Chee.

Adopted

[Street Closing]
Resolution authorizing temporary closing of portion of 16th Street, for a Halloween celebration and waiving the requirement that sponsor provide insurance. (Supervisor Britt)

File 42-92-55, Resolution No. 925-92

(16th Street, between Market and Sanchez Streets, on Saturday, October 31, 1992, from 4:00 p.m. to 7:00 p.m.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

Recess

At the direction of the President, the Board, at the hour of 2:35 p.m., recessed to convene in closed session pursuant to Government Code Section 54956.9 (a) to discuss litigation now pending under Stone v. San Francisco, USDC No. C.78-2774-WHO, which is the jail overcrowding lawsuit.

Reconvening of the Board

The Board, at the hour of 3:25 p.m., reconvened.

Calling the Roll

On call of the roll the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Kennedy, Shelley - 7.

Noted absent at first roll call:

Supervisors Hallinan, Hsieh, Maher, Migden - 4.

Quorum present.

Supervisor Hallinan was noted present at 3:26 p.m.

Report on Closed Session

Deputy City Attorney Theodore Lakey reported that the Board had met in closed session with the City Attorney concerning pending litigation as provided in the Government Code.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Henry Clark;
Dehnert Queen;
Daniel Piece;
Perry Isreale;
Richard, Eighth Avenue resident;
Richard Rodgers.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Street Closing]
Resolution authorizing temporary closing of portion of Eighth Avenue, for a Halloween block party (Supervisor Shelley)

File 42-92-54, Resolution No. 924-92

(Eighth Avenue, between Lincoln Way and Irving Street on Saturday, October 31, 1992, 3:00 p.m. until 9:00 p.m.)

(October 19, 1992 - Consideration continued to October 26, 1992.)

Adopted.

[Street Artists]
Resolution designating temporary Downtown area selling spaces for street artists certified by the Art Commission, for the Christmas Season, 1992, beginning on November 15, 1992 and ending on January 15, 1993. (Supervisor Hallinan)

File 169-92-4.1, Resolution No. 926-92

(October 19, 1992 - Introduced in Board for consideration October 26, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Shelley - 6.

Absent: Supervisors Hallinan, Hsieh, Kennedy, Maher, Migden - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-43, Resolution No. 916-92

(Roberta Achtenberg, member, Board of Supervisors, October 21 - 23; Willie B. Kennedy, member, Board of Supervisors, November 6 - 9; Buck Bagot, President, Redevelopment Agency, October 3 - 10; Raymond Baxter, Director of Health, October 15 - 16 and November 11 - 14; Gordon Chin, member, Public Utilities Commission, October 26 - November 13; Louette Colobano, member, Commission on the Status of Women, November 18 - 30; Kenneth Dowlin, City Librarian, October 31 - November 8 and 18 - 21; Katheryn Fong, member, Human Rights Commission, October 17 - November 4; James K. Ho, member, Airports Commission, October 20 - November 3; Harry Low, member, Police Commission, October 9 - 16; Pierre Ludington, member, Health Commission, October 25 - 27; H. Daniel McFarland, General Manager, Department of Electricity, November 1 - 6; Joseph A. Medina, Fire Chief, October 19 - November 1; Patrick A. Murphy, President, Airports Commission, October 5 and 18 - 26; Harry S. Parker, III, Director, Fine Arts Museums, October 21 - 25 and November 7 - 15; Louise Renne, City Attorney, October 25 - November 18; Randall B. Smith, Executive Director, Health Service System, October 9 - 11 and 18 - 24; Roselyne C. Swig, member, Library Commission, October 2 - 4 and October 23 - November 1; L.A. Turpen, Director of Airports, November 6 - 15, 1992.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Proclamation]
Resolution urging the Mayor to issue a proclamation declaring December 8, 1992, International Human Rights Day, as "Rigoberta Menchu Day in San Francisco", in honor of her work on behalf of human rights for the Native Indian population of Guatemala and for being awarded the 1992 Nobel Peace Prize.

File 4-92-27, Resolution No. 917-92

Supervisor Gonzalez presented for immediate adoption.

Adopted.

[Commendation]
Resolution honoring Henry Berman.

File 6-92-22, Resolution No. 918-92

Supervisors Gonzalez, Kennedy, Shelley, Conroy, Hallinan presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Claude Lane, between Bush and Sutter Streets on Wednesday, October 28, 1992, from 4:30 p.m. until 8:30 p.m., for a rally.

File 42-92-57, Resolution No. 919-92

Supervisor Shelley presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Stevenson Street, between Third and Annie Streets on Sunday, November 8, 1992, 10:00 a.m. until 6:00 p.m. for a benefit.

File 42-92-59, Resolution No. 920-92

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Tunnel Project]
Resolution urging the Port of San Francisco to work with the San Francisco County Transportation Authority, the Joint Powers Board, the California Department of Transportation and relevant federal agencies in seeking I-280 transfer of funds for the Tunnel Project.

File 171-92-7, Resolution No. 921-92

Supervisors Hsieh, Kennedy presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Migden, Shelley - 7.

Absent: Supervisors Hallinan, Hsieh, Kennedy, Maher - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Street Closing]
Resolution authorizing temporary closing of a portion of Twenty-fourth Street (south side only), between Alabama and Bryant Streets on Sunday, November 29, 1992, 12 Noon until 6:00 p.m. for a street fair. (Supervisor Gonzalez presented.) Referred to Economic and Social Policy Committee.

File 42-92-58

[City-wide Managerial and Financial Audit]
Resolution urging the Mayor to undertake a comprehensive program of management and financial audits of all City departments to determine areas of duplication and waste and to provide recommendations to maintain city services while reducing the cost of operations, including amendments to the Charter. (Supervisors Kennedy and Gonzalez presented.) Referred to Finance Committee.

File 266-92-1

Requests for Hearings:

File 107-92-3, By Supervisor Alioto: To consider the delay experienced by the Department of Social Services in occupying space at 1235 Mission Street (Delta Dental Building). Referred to City Services Committee.

File 195-92-1.1, By Supervisor Migden: To consider a long-range plan to alleviate jail overcrowding. Referred to Finance Committee.

File 207-92-12, By Supervisor Gonzalez: To consider the City's response to increased crime and violence in the Mission District. Referred to City Services Committee.

File 244-92-2, By Supervisor Shelley: To consider the status of negotiations between the City and County of San Francisco and the United States Navy regarding the Hunters Point Naval Shipyard. Referred to Select Committee on Hunters Point Naval Shipyard and Presidio Army Base Closures.

File 267-92-1, By Supervisor Hsieh: To consider enacting legislation setting minimum safety standards for buildings the City proposes to purchase or lease. Referred to Economic and Social Policy Committee.

File 267-92-2, By Supervisor Hsieh: To consider the seismic safety status of 2789 25th Street, the Paramedic Division Headquarters. Referred to Economic and Social Policy Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 46-92-22. [Settlement of Lawsuit] Authorizing settlement of litigation of City and County of San Francisco against Bill Rayson Louie, Wai Lan Louie, Raymond King Tong Lui, and Tracy Fung Sum Lui by accepting consideration in the total amount of $21,000 payable in cash and discharging said persons above-named from further liability. (Tax Collector) Administration and Oversight

File 46-92-23. [Settlement of Lawsuit] Authorizing settlement of litigation of City and County of San Francisco against Albert F. Vella for $8,000 to be paid to the General Fund. (City Attorney) Administration and Oversight

File 65-92-11. [Lease of Property] Authorizing and approving lease of City-owned property at 1800 Oakdale Avenue (southeast Community Facility, northwest corner of Phelps Street and Oakdale Avenue) to the San Francisco Community College District. (Real Estate Department) Finance

Resolutions Referred to Committee

File 38-92-25. [Gift Acceptance] Accepting one gift valued at $5,480, from Wells Fargo Bank, for publication of the Recreation and Park Department Summer Activities Brochure. (Recreation and Park Department) Finance

File 48-92-23. [Settlement of Claim] Approving the settlement of the unlitigated claim of Sandy D'Agostino by payment of $6,000. (City Attorney) Administration and Oversight

File 64-92-24. [Lease of Real Property] Authorizing a new lease of real property at 10 United Nations Plaza, Suite 260, for the Mayor's Office of Children, Youth and Their Families. (Real Estate Department) Finance

File 79-92-3. [Federal Funding - Community Development] Approving the 1993 Community Development Program, authorizing the Mayor on behalf of the City and County of San Francisco to apply for, receive, and expend the City's 1993 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development; transfer and expend reprogrammed funds from prior year Community Development Programs and program income generated by the San Francisco Redevelopment Agency up to $21,708,373, which includes indirect costs of $80,000; approving expenditure schedules for recipient departments and agencies and for indirect costs, and determining no environmental evaluation is required, authorizing the receipt and deposit in contingencies of 1993 CDBG entitlement funds in excess of $21,708,373. (Mayor) Finance

File 171-92-6. [Freeway Interchange] Urging the San Francisco County Transportation Authority to remove the proposed Interstate 280 Interchange at Islais Creek Project from the State Transportation Improvement Program, and reprogram the funds for other priority projects, with first consideration for other roadway projects. (Department of Public Works) Economic and Social Policy

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hsieh, that City Attorney prepare ordinance setting minimum safety standards for buildings the City proposes to purchase or lease.

By Supervisor Kennedy, that City Attorney research the following items to determine whether or not it would be legal and appropriate to amend the Minority Business Enterprise/Women Business Enterprise/Local Business Enterprise ordinance to require the following: (1) Require the Human Rights Commission staff to provide tracking data of all minority groups; (2) enforce all provisions of the ordinance, such as, but not limited to, publication at regular intervals of tracking data report and contract performance reports for public review. Insert in the ordinance, a mechanism to guarantee all ordinance provisions are monitored and implemented; (3) levy one percent penalty for failure to pay within 45 days prime contractors for work performed. Require that all subcontractors be paid within 10 calendar days after prime contractors have been paid; (4) establish department goals and enforce them. The current ordinance does not establish any goals for each department so that Human Rights Commission is unable to measure its compliance records over a given period of time; (5) require a timely notification of contract modifications which result in an increase of the initial contract dollars by $50,000 or by ten percent, whichever is greater. Also require these modified contracts to be publicly bid out in compliance with the ordinance; (6) require Human Rights Commission staff to collect and report all close out contract dollar amounts; (7) requires Human Rights Commission to establish a systematic process of review and analysis of contracts awarded to different minority groups; (8) change the definition of Local Business Enterprise so that only those businesses that pay the City's payroll taxes by employing people in their San Francisco offices or those businesses that procure at least five percent of their procurement dollars from San Francisco Minority Business Enterprises qualify as Local Business Enterprise.

By Supervisors Britt, Migden, Alioto, that letter be sent through His Honor, the Mayor, to the Honorable Police Commission requesting clarification of policy concerning use of police officers to issue parking tickets near Stanyan Street.

By Supervisor Britt, that City Attorney be requested to review whether a Municipal Railway employee's domestic partner is entitled to benefits such as a fast pass and dental coverage. It appears that denial of such benefits does not appear to be consistent with the City's non-discrimination laws.

Select Committee on Hunter's Point Navy Shipyard
and
The Presidio Army Base Closures

President Shelley announced the following membership of the Select Committee on Hunter's Point Navy Shipyard and The Presidio Army Base Closures as follows:

Supervisor Kevin Shelley, Chair;
Supervisor Willie B. Kennedy, Vice Chair;
Supervisor Jim Gonzalez.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

John J. Walsh (Supervisor Britt)
Samuel Liu (Supervisor Britt)

File 2-92-43

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:57 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on MAY 17 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, November 2, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 2, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Noted absent at first roll call:

Supervisors Achtenberg, Britt, Conroy - 3.

Quorum present.

Supervisor Achtenberg excused. (See infra.)

Supervisor Britt excused. (See infra.)

Supervisor Conroy was noted present at 2:11 p.m.

Supervisor Achtenberg Excused

The Clerk announced that Supervisor Achtenberg requested to be excused from attending today's meeting.

Supervisor Gonzalez, seconded by Supervisor Hsieh, moved to excuse Supervisor Achtenberg from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Hsieh - 3.

Supervisor Britt Excused

The Clerk announced that Supervisor Britt requested to be excused from attendance until his arrival.

Supervisor Maher, seconded by Supervisor Hallinan, moved to excuse Supervisor Britt from attendance until his arrival.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Hsieh - 3.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Garage Lease Documents]
Ordinance approving and adopting St. Mary's Square garage legal documents and authorization for management agreement. (Real Estate Department)

File 47-92-6.1, Ordinance No. 337-92

Finally passed.

[Public Health Contracts]
Ordinance amending Administrative Code, to permit the Department of Public Health to enter into indemnification agreements with the California Family Planning Council enabling the Department of Public Health to participate in family planning services; effective retroactive to October 1, 1992. (Department of Public Health)

File 97-92-59, Ordinance No. 339-92

(Adds Section 19A.31.)

Finally passed.

[Board of Permit Appeals Fees]
Ordinance amending Part III of the Municipal Code, to increase specified Board of Permit Appeals filing fees. (Board of Permit Appeals)

File 127-92-9, Ordinance No. 340-92

(Amends Section 8.)

Finally passed.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Lumir J. Cerny against the City and County, et al., by payment of $10,000. (City Attorney)

File 45-92-64, Ordinance No.

(Superior Court No. 900-755)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Bennie Alexander, et al., against the City and County by payment of $100,000. (City Attorney)

File 45-92-65, Ordinance No.

(Superior Court No. 913-176)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Claim Numbers 9100987 and 9100992 filed against the City and County, et al., by payment of $36,000. (City Attorney)

File 48-92-22, Ordinance No.

Passed for second reading.

Recommendations of Economic and Social Policy Committee

Adopted

[Stop Intersections]
Resolution designating certain intersections as "Stop" intersections. (Economic and Social Policy)

File 18-92-13, Resolution No. 938-92

(Stop Signs - Establish
Balceta Avenue and Laguna Honda Boulevard, northeast and southwest corners, stopping Balceta Avenue traffic.

Balceta and Vasquez Avenues, northeast corner, stopping Balceta Avenue traffic.

Vasquez Avenue and Laguna Honda Boulevard, southwest corner, stopping Vasquez Avenue traffic.

Garcia and Hernandez Avenues, southeast corner, stopping Garcia Avenue.

Hernandez and Merced Avenues, southeast corner, stopping Hernandez Avenue (makes this an all-way Stop).

Utah and Mariposa Streets, all corners, stopping all approaches (makes this an all-way Stop).

16th and De Haro Streets, northeast and southwest corners, stopping 16th Street (makes this an all-way Stop).

Ankeny, Alder and Ordway Streets, southwest and northeast corners, stopping Alder and Ordway Streets.

Brussels and Ward Streets, all corners, stopping all approaches (makes this an all-way Stop).

Goettingen and Ward Streets, all corners, stopping all approaches (makes this an all-way Stop).

Bowdoin and Olmstead Streets, northeast and southwest corners, stopping Olmstead Street.

Britton Street and Visitacion Avenue, northwest and southeast corners, stopping Britton Street.

Colby and Olmstead Streets, northwest and southeast corners, stopping Colby Street.

Goettingen and Olmstead Streets, northwest and southeast corners, stopping Goettingen Street.

Loehr Street and Visitacion Avenue, northwest and southeast corners, stopping Loehr Street.

Rutland Street and Tucker Avenue, northeast and southwest corners, stopping Tucker Avenue.

17th and Harrison Streets, all corners, stopping all approaches (makes this an all-way Stop).)

Adopted.

[Parking Regulations]
Resolution enacting and extending parking regulations on various streets. (Economic and Social Policy Committee)

File 19-92-13, Resolution No. 939-92

(No Parking Anytime - Establish
Greenwich Street, east terminus at Telegraph Hill Boulevard around traffic island and curb at the end portion.

Mars Street, west side, from 17th Street to 105 feet southerly (105-foot zone).

Tow-Away, No Parking Anytime - Establish
France Avenue, south side, from 100 feet east of Moscow Street to east terminus (75-foot zone).

Parking Meter Area Number Three (3), One-Hour Parking Time Limit - Extend
Potrero Avenue, west side, between 15th and 16th Streets.

Market Street, north side, between Duboce Avenue and Church Street.

Two-Hour Parking Time Limit, 9 AM-6 PM, Monday-Saturday - Establish
Hayes Street, both sides, between Octavia and Laguna Streets.)

Adopted.

[Parking Regulations]
Resolution enacting parking regulations on various streets. (Economic and Social Policy Committee)

File 19-92-14, Resolution No. 940-92

(Motorcycle Parking (Non-Metered) - Establish
Montgomery Street, south terminus, west side, 32 feet south of Montague Place (7-foot zone, 2 stalls).

Montgomery Street, west side, from 48 feet to 55 feet north of Union Street (7-foot zone, 1 parallel stall).

Montgomery Street, east side, from 10 feet to 17 feet south of Alta Street (7-foot zone, 1 parallel stall).

Montgomery Street, west side, from 12 feet to 19 feet north of Filbert Street (7-foot zone, 1 parallel stall).

Montgomery Street, west side, from 42 feet to 49 feet north of Filbert Street (7-foot zone, 1 parallel stall).

Montgomery Street, west side, from 96 feet to 103 feet south of Greenwich Street (7-foot zone, 1 parallel stall).

Montgomery Street, west side, 7 feet southerly from the north extension of Greenwich Street (7-foot zone, 1 parallel stall).

Montgomery Street, east side, from 76 feet to 83 feet south of Alta Street (7-foot zone, 1 parallel stall).

Perpendicular (Right-Angle) Parking - Establish
Montgomery Street, east side, 175 feet southerly from Union Street (175-foot zone).

Compact Perpendicular (Right Angle) Parking - Establish
Montgomery Street, east side, from 95 feet to 135 feet south of Alta Street (40-foot zone).

Compact Parking - Establish
Montgomery Street, west side, from 39 feet to 54 feet north of Montague Street (15-foot zone).

Montgomery Street, east side, from 33 feet to 48 feet south of Alta Street (15-foot zone).

Montgomery Street, east side, from 37 feet to 104 feet north of Alta Street (67-foot zone).

Adopted.

[Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets. (Department of Parking and Traffic)

File 20-92-13, Resolution No. 937-92

(No Left Turn - Establish
North Point Street, westbound, at Polk Street.

Tow-Away, No Stopping Anytime - Establish
O'Farrell Street, south side, between Cyril Magnin and Powell Streets.

Mission Street, north side, 225 feet westerly from South Van Ness Avenue (225-foot zone).

Tow-Away, No Stopping Anytime - Rescind
Market Street, north side, from Duboce Avenue to 175 feet east of Church Street.

Tow-Away, No Stopping Anytime, Except Tour Buses - Establish
Mint Street, east side, 165 feet northerly from Mission Street (165-foot zone, to legalize existing condition).)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Administration and Oversight Committee

Finally Passed

[Benefits for Unrepresented Employees]
Ordinance approving the provision of dental benefits and two paid furlough days for fiscal year 1992-93 to qualified unrepresented employees who sign a waiver regarding the 1991-92 wage freeze; providing for ratification of action previously taken. (Mayor)

File 93-92-33, Ordinance No. 338-92

Finally passed by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Airport - Lease Modification]
Ordinance approving Modification No. 1 of land lease between American Airlines, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-92-10, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

[Vallejo Street Garage]
Ordinance authorizing the Parking Authority, acting on behalf of the City, to terminate the City's lease with Metropolitan Parking Corporation for the operation of the Vallejo Street garage, and to award an interim, temporary operating agreement for operation of such garage until a public bidding procedure for the long-term operation of the garage is completed. (Department of Parking and Traffic)

File 47-92-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

Recommendations of Administration and Oversight Committee

Adopted

[Appointments]
Resolution submitting names of applicants for consideration of appointment by the Mayor to the Advisory Council to the Mayor's Office of Child Care. (Administration and Oversight Committee)

File 92-89-11, Resolution No. 941-92

(Daniel J. Binet;
Marilyn Borovoy;
Paula Minkus;
Martha G. Roditti.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

[Appointment]
Resolution appointing member to the Emergency Medical Care Committee, for the unexpired portion of three-year term ending June 30, 1993. (Administration and Oversight Committee)

File 92-92-37, Resolution No. 942-92

(Robert C. Mackersie, M.D., at-large provider, vice Frank R. Lewis, M.D., resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

[Appointment]
Resolution appointing member to the Drug Abuse Advisory Board, for the unexpired portion of the three-year term ending October 1, 1993. (Administration and Oversight Committee)

File 92-92-42, Resolution No. 943-92

(Charles Louden, provider slot, vice Thomas H. Reichert, R.N., resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

[Appointments]
Resolution appointing members to the Drug Abuse Advisory Board, terms expired, for three-year terms ending October 1, 1995. (Administration and Oversight Committee)

File 92-92-44, Resolution No. 944-92

(Gregory Allen Senegal, provider slot, vice Evelyn Wilson; John J. Entwistle, Jr., public slot, vice Chester Stern.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

[Appointment]
Resolution appointing member to the City-Wide Alcoholism Advisory Board, for the unexpired portion of three-year term ending July 1, 1993. (Administration and Oversight Committee)

File 92-92-49, Resolution No. 965-92

(Paula Fiscal, vice Chester Stern, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

[Budget]
Motion requesting the Clerk of the Board to take steps to revise the current budget of the Board of Supervisors to make more appropriate use of available resources. (Supervisor Hallinan)

File 100-92-2.1

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

[Retirement System Audit]
Motion directing the Budget Analyst to conduct a management audit of the Retirement System. (Supervisors Conroy, Hsieh, Migden, Shelley)

File 165-92-12

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

In connection with the above item, Supervisor Shelley requested to be added as a co-sponsor.

Recommendations of Economic and Social Policy Committee

Passed for Second Reading

[Zoning Map Change]
Ordinance adopting the abolition of setback lines as an amendment to the zoning map of the City and County for property located in an RH-2 (House, Two-Family) District, on the east side of 35th Avenue between Cabrillo and Fulton Streets, Lots 15, 15A, 15B, 16, 16A, 16B, 16C, 17, 17A, 17B, 17C, 17D, 17E, 17F, 18, 19 and 19A in Assessor's Block 1677; and adopting findings pursuant to Section 101.1. (Department of City Planning)

File 36-92-4, Ordinance No.

(Approved by City Planning Commission Resolution No. 13374)
(Non-Physical Exclusion from Environmental Impact Review)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

Consideration Continued

[Hazardous Materials]
Ordinance amending Health Code, providing for public notification and participation procedures for unauthorized releases from underground storage tanks. (Supervisors Hallinan, Achtenberg)

File 257-92-2, Ordinance No.

(Amends Sections 1137(a), 1154(e), 1155(b); Adds Section 1143.)

Supervisor Hallinan, seconded by Supervisor Maher, moved to continue consideration to November 9, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Virginia Conway;
Louise Vaughn;
Dehnert Queen.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-44, Resolution No.

(Roberta Achtenberg, member, Board of Supervisors, October 31 - November 4; John L. Taylor, Clerk, Board of Supervisors, November 29 - December 5; Raymond Baxter, Director of Health, November 8 - 15; Marilyn Chow, member, Social Services Commission, October 22 - 23 and November 14 - 17; Mary Gomez Daddio, member, Human Rights Commission, October 16 - 18; Cleo Donovan, member, Civil Service Commission, November 4 - 6; Thomas J. Elzey, General Manager, Public Utilities Commission, October 26 - 31; Michael Hennessey, Sheriff, November 7 - 13; Michael P. Huerta, Port Director, November 11 - 14; Frederick Jordan, member, Parking and Traffic Commission, November 9 - 17; Betty Louie, member, Parking and Traffic Commission, December 4 - 6, 1992.)

Adopted.

[Board of Supervisors - Automobile]
Motion declaring that the automobile assigned to the Department of the Board of Supervisors is surplus to the needs of the Department and directing that the car be returned to the Director of Purchasing. (Supervisor Hallinan)

File 54-92-6

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Commendation]
Resolution commending Armstrong Painting and Roofing Company for instituting a company-wide no-smoking policy.

File 6-92-23, Resolution No. 934-92

Supervisor Alioto presented for immediate adoption.

Adopted.

[Elder Abuse Task Force]
Resolution amending Resolution No. 322-92 which created an Elder Abuse Task Force, by changing the date by which the task force is to present to the Board of Supervisors a written report to July 1, 1993.

File 174-92-2.1, Resolution No. 935-92

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Joint Task Force on City's Fiscal Crisis]
Resolution amending resolution establishing the Joint Task Force to resolve the City's fiscal crisis by adding two additional members.

File 174-92-5.1, Resolution No. 936-92

Supervisor Migden presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Fictitious Business Name Filing Requirement]
Ordinance amending Part III, Municipal Code, by adding Section 75.2 to require persons filing a statement of fictitious business name pursuant to California Business and Professions Code Section 17900 et seq. to provide proof of compliance, including payment of all appropriate license fees, with all applicable sections of Article 2 of Part III of the Municipal Code. (Supervisor Kennedy presented.) Referred to Finance Committee.

File 127-92-10

[Municipal Court Commissioner]
Resolution authorizing the appointment of a commissioner for the San Francisco Municipal Court and assuming all costs as required by State law. (Supervisor Migden presented.) Referred to Finance Committee with request it be considered at the November 18, 1992 meeting.

File 198-92-3

Requests for Hearings:

File 7-92-9, By Supervisors Alioto, Conroy, Migden, Shelley: To consider problems facing lower Powell Street, including problems with the cable car ticket machines and the need for public access to restrooms at public parking garages and other locations. Referred to City Services Committee.

File 100-92-9, By Supervisor Gonzalez: To consider the City's efforts to secure anticipated revenues and fund transfers needed to balance the 1992-93 fiscal year budget for the City and County. Referred to Finance Committee with request it be considered at the November 4, 1992 meeting.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-92-66. [Settlement of Litigation] Authorizing settlement of litigation of Brian Bringardner, et al. against Cairns, et al. (City Attorney) Administration and Oversight

File 45-92-67. [Settlement of Litigation] Authorizing settlement of litigation of Tommy McGowan against the City and County of San Francisco by payment of $12,000. (City Attorney) Administration and Oversight

File 97-92-63. [Cable Television Access Development and Programming Fund] Amending Administrative Code by amending Section 10.117-68, which establishes and governs the maintenance of the Cable Television Access Development and Programming Fund, by providing for the balance of all funds remaining in the fund at the close of each fiscal year to be carried forward and accumulated in said fund. (Clerk of the Board) Administration and Oversight

File 106-92-4. [Salaries and Benefits] Approving the provision of salary increases, dental benefits and two paid furlough days for fiscal year 1992-93 to the Airport Police Chief and the Airport Deputy Police Chief effective July 1, 1992 and subject to the execution of waivers regarding the 1991-92 wage freeze. (Mayor) Administration and Oversight

Resolutions Referred to Committee

File 25-92-33. [Contract] Concurring with the Controller's certification that Coordinator and Mentor Services for the Independent Living Skills Project can be practically performed at the Department of Social Services by private contractor for lower cost than similar work services performed by City and County employees. (Department of Social Services) Finance

Referred to Board

File 41-92-4. [Assessment Costs - Code Violations Abatement] Confirming report of assessment costs submitted by the Director of Public Works for demolition of building known as 22-30 Alta Street ordered to be rendered by said Director pursuant to the provisions of Sections 203(m) and/or 203(o) of the Building Code, the costs thereof having been paid for out of the Repair and Demolition Fund. (Department of Public Works) Scheduled for Public Hearing before Board on November 16, 1992 at 3:00 p.m.

Referred to Committee

File 64-92-25. [Extension of Existing of Real Property Lease] Authorizing exercise of an option to extend the existing lease of Pier 70 from the Port of San Francisco for use by the Police Department. (Real Estate Department) Finance

File 64-92-26. [Lease of Real Property] Authorizing a new lease of real property at 25 Taylor Street, Rooms 612 and 614, for Department of Public Health. (Real Estate Department) Finance

File 89-92-20. [State Disability Insurance] Authorizing enrollment of Classification 8161 Chief, Family Support Investigator in the State Disability Insurance Program. (Employee Relations Division) Administration and Oversight

File 106-92-2. [Salary and Wage Division] Authorizing Civil Service Commission to expend funds to conduct the 1993-94 Salary Survey. (Civil Service Commission) Administration and Oversight

File 106-92-3. [Salary and Wage Division] Fixing highest generally prevailing wage rates, private employment on public contracts. (Civil Service Commission) Administration and Oversight

File 143-92-5. [Office of Criminal Justice Planning Funding] Authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of $110,000 made available through the Office of Criminal Justice Planning for a project entitled "Crime Prevention Expansion Project, Mission Corridor"; and agreeing to provide cash match in the amount of $12,222 dollars. (Police Commission) Finance

File 146-92-39.1. [Grant - State Funds] Authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, to accept and expend a grant of $42,402 from the State Department of Health Services; for an augmentation of immunization services; waiving indirect costs. (Department of Public Health) Finance

File 146-92-40.1. [Grant - State Funds] Authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services, to accept and expend a grant of $283,000 which includes indirect costs in the amount of $14,150 based on five percent of the total award from the State Department of Mental Health Services; for consultation, education and information services to San Francisco residents; providing for ratification of action previously taken. (Department of Public Health) Finance

File 146-92-54. [Grant - Federal Funds] Authorizing the Department of Public Health, Special Programs for Youth, to retroactively apply for, accept and expend a grant of $66,774 which includes indirect costs in the amount of $11,070 based on twenty percent of salaries from the American Foundation for AIDS Research, to investigate the epidemiology of high risk adolescents in San Francisco; providing for ratification of action already taken. (Department of Public Health) Finance

File 146-92-61.1. [Grant - State Funds] Authorizing the Department of Public Health, to accept and expend a grant allocation of $10,782,909, for fiscal year 1992-93 funding from State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds, for medical services to indigent persons, professional services, medical services contracts, materials and supplies, facilities rental, personal services, and indirect costs in the amount of $152,841 based on 1.658646 percent of County Hospital and other Health Services CHIP allocations. (Department of Public Health) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that letter of inquiry be sent to Director, Department of Parking and Traffic, to determine the feasibility of installing additional Stop signs at the intersection of 18th Street and Mississippi Street to create a four-way stop.

By Supervisor Alioto, that City Attorney prepare ordinance amending Police Code to prohibit the attaching of political signs to the "Path of Gold" lamp posts along Market Street.

By Supervisor Gonzalez, that City Attorney prepare resolution to accept gift of a sculptural bust of the late John F. Shelley, Mayor of San Francisco from 1964-68, valued at approximately $45,000 to $50,000, as provided by the John F. Shelley Memorial committee, for immediate adoption at the next Board meeting.

By Supervisors Gonzalez and Kennedy, that letter of inquiry be sent to Chief of Police concerning incidents on the evenings of October 25th, 28th and 29th in the vicinity of Ninth Avenue, between Judah and Kirkham Streets, in which the windows of cars were allegedly shot out by pellet guns, to determine what actions the Department proposes to take regarding this problem.

By Supervisor Shelley, that City Attorney, in drafting any bond documents, include language specifying the Minority Business Enterprise/Women Business Enterprise guidelines and requirements to be followed after the bonds are issued.

By Supervisor Shelley, that letter be sent to Director of Public Health requesting investigation into possible environmental health hazards at the construction project in the 600 block of Chestnut Street.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Scott Newhall (Supervisors Shelley, Hsieh)
Lillie Mae Thomas (Supervisor Kennedy)

File 2-92-44

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 2:49 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on MAY 17 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, November 9, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 9, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:15 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Britt, Conroy, Hallinan, Kennedy, Maher, Shelley - 6.

Noted absent at first roll call:

Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Migden - 5.

Quorum present.

Supervisor Achtenberg excused. (see infra.)

Supervisor Alioto was noted present at 2:21 p.m.

Supervisor Gonzalez was noted present at 2:22 p.m.

Supervisor Hsieh was noted present at 2:20 p.m.

Supervisor Migden excused. (see infra.)

Supervisors Achtenberg and Migden Excused

The Clerk announced that Supervisors Achtenberg and Migden have requested to be excused from attending today's meeting.

Supervisor Maher, seconded by Supervisor Kennedy, moved to excuse Supervisors Achtenberg and Migden from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Hallinan, Kennedy, Maher, Shelley - 6.

Absent: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Migden - 5.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Maher, seconded by Supervisor Kennedy, moved that the Journals of Proceedings for Monday, November 4; Tuesday, November 12; and Monday, November 18, 1991, be approved.

Motion carried by the following vote:

Ayes: Supervisors Britt, Conroy, Hallinan, Kennedy, Maher, Shelley - 6.

Absent: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Migden - 5.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Airport - Lease Modification]
Ordinance approving Modification No. 1 of land lease between American Airlines, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-92-10, Ordinance No. 341-92

Finally passed.

[Vallejo Street Garage]
Ordinance authorizing the Parking Authority, acting on behalf of the City, to terminate the City's lease with Metropolitan Parking Corporation for the operation of the Vallejo Street garage, and to award an interim, temporary operating agreement for operation of such garage until a public bidding procedure for the long-term operation of the garage is completed. (Department of Parking and Traffic)

File 47-92-7, Ordinance No. 345-92

Finally passed.

Recommendations of Administration and Oversight Committee

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Lumir J. Cerny against the City and County, et al., by payment of $10,000. (City Attorney)

File 45-92-64, Ordinance No. 343-92

(Superior Court No. 900-755)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Bennie Alexander, et al., against the City and County by payment of $100,000. (City Attorney)

File 45-92-65, Ordinance No. 344-92

(Superior Court No. 913-176)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Claim Numbers 9100987 and 9100992 filed against the City and County, et al., by payment of $36,000. (City Attorney)

File 48-92-22, Ordinance No. 346-92

Finally passed.

Recommendation of Economic and Social Policy Committee

Finally Passed

[Zoning Map Change]
Ordinance adopting the abolition of setback lines as an amendment to the zoning map of the City and County for property located in an RH-2 (House, Two-Family) District, on the east side of 35th Avenue between Cabrillo and Fulton Streets, Lots 15, 15A, 15B, 16, 16A, 16B, 16C, 17, 17A, 17B, 17C, 17D, 17E, 17F, 18, 19 and 19A in Assessor's Block 1677; and adopting findings pursuant to Section 101.1. (Department of City Planning)

File 36-92-4, Ordinance No. 342-92

(Approved by City Planning Commission Resolution No. 13374)
(Non-Physical Exclusion from Environmental Impact Review)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Britt, Conroy, Hallinan, Kennedy, Maher, Shelley - 6.

Absent: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Migden - 5.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Economic and Social Policy Committee

Passed for Second Reading as Amended

[Hazardous Materials]
Ordinance amending Health Code, providing for public notification and participation procedures for unauthorized releases from underground storage tanks. (Supervisors Hallinan, Achtenberg, Shelley)

File 257-92-2, Ordinance No.

(Amends Sections 1137(a), 1154(e), 1155(b); Adds Section 1143.)

Supervisor Hallinan, seconded by Supervisor Maher, moved to amend page three, line seven, after "(c)" by inserting "For purposes of this article "corrective action plan" means any corrective action plan or workplan submitted to the Department pursuant to Section 2722 or Section 2725 of Title 23 of the California Code of Regulations."; amend page three, line nine, after "regulations" by inserting "or Department guidelines or regulations"; amend page five, line 13, after "and" by inserting "sites"; amend page five, line 20, after "regulations" by inserting "or Department guidelines or regulations".

Motion to amend adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Hallinan, Kennedy, Maher, Shelley - 6.

Absent: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Migden - 5.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Britt, Conroy, Hallinan, Kennedy, Maher, Shelley - 6.

Absent: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Migden - 5.

NEW BUSINESS

Recommendation of Finance Committee

Adopted

[Lease of Real Property]
Resolution authorizing a new lease of real property at 10 United Nations Plaza, Suite 260, for the Mayor's Office of Children, Youth and Their Families; retroactive to October 1, 1992. (Real Estate Department)

File 64-92-24, Resolution No. 950-92

Adopted by the following vote:

Ayes: Supervisors Britt, Conroy, Hallinan, Kennedy, Maher, Shelley - 6.

Absent: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Migden - 5.

Recommendations of Finance and Economic and Social Policy Committees

Passed for Second Reading

[Parking Meters]
Ordinance amending Traffic Code, to remove the parking facility at 1350 Polk Street from those off-street parking sites on which parking meters may be used. (Parking Authority)

File 124-92-9, Ordinance No.

(Fiscal Impact)

(Amends Section 32.8.12.)

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Gonzalez, Migden - 4.

Adopted

[South of Market Survey Area]
Resolution amending Resolution No. 177-90, designating and

accomplish this; urging the San Francisco Congressional Delegation to work with the United States Coast Guard and the Golden Gate National Recreation Area to expedite any necessary approvals for foghorn installation.".

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley - 8.

Absent: Supervisors Achtenberg, Maher, Migden - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley - 8.

Absent: Supervisors Achtenberg, Maher, Migden - 3.

The Board resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-45, Resolution No. 946-92

(Roberta Achtenberg, member, Board of Supervisors, November 7 - 10; Willie B. Kennedy, member, Board of Supervisors, November 28 - December 2; Carole Migden, member, Board of Supervisors, November 9 - 11; Mary I. Callanan, Treasurer, November 7 - 12; Steven Coulter, member, Library Commission, November 7 - 14; Anne Halsted, member, Port Commission, November 7 - 13; Arthur M. Jackson, member, Health Commission, November 21 - 28; John E. Newlin, Executive Director, Parking and Traffic, November 11 - 15, 1992.)

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Twenty-fourth Street for a street fair sponsored by St. Peters Catholic Parish. (Supervisor Gonzalez)

File 42-92-58.1, Resolution No. 948-92

The foregoing item on the For Adoption Without Committee Reference Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy,Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Achtenberg, Migden - 2.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Severed from Immediate Adoption Calendar

Supervisor Conroy requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Adopted as Amended

[Foghorns]
((Resolution declaring the desire of the Board of Supervisors to see foghorns returned to San Francisco Bay and urging his Honor, the Mayor, to urge the Golden Gate National Recreation Area and the United States Coast Guard to work with the San Francisco based U.S. Lighthouse Society to accomplish this.)) (Supervisors Conroy, Alioto, Shelley)

Resolution declaring the desire of the Board of Supervisors to see foghorns maintain their presence on San Francisco Bay, and urging his Honor, the Mayor, to urge all appropriate City departments, the United States Coast Guard, and the Golden Gate National Recreation Area to work with the San Francisco based U.S. Lighthouse Society and any other interested parties to accomplish this; urging the San Francisco Congressional Delegation to work with the United States Coast Guard and the Golden Gate National Recreation Area to expedite any necessary approvals for foghorn installation.

File 292-92-1, Resolution No. 949-92

Supervisor Conroy, seconded by Supervisor Hsieh, moved an amendment of the whole entitled, "Resolution declaring the desire of the Board of Supervisors to see foghorns maintain their presence on San Francisco Bay, and urging his Honor, the Mayor, to urge all appropriate City departments, the United States Coast Guard, and the Golden Gate National Recreation Area to work with the San Francisco based U.S. Lighthouse Society and any other interested parties to

describing the South of Market Survey Area by adding additional land to said survey area. (Redevelopment Agency)

File 161-92-7, Resolution No. 951-92

(Fiscal Impact)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Gonzalez, Migden - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dennis Miles;
Louise Vaughn;
Patricia Broy;
Dehnert Queen;
Bob Flannigan;
Robert Butler.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Plan Unit Development Subdivision Project]
Motion approving final map of 2109-2119 14th Avenue, a resubdivision of Lot 53, in Assessor's Block 2203, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-92-24

(October 26, 1992 - Introduced in Board for consideration November 9, 1992.)

Adopted.

File 45-92-68. [Settlement of Litigation] Authorizing settlement of litigation of Johnson Miller against the City and County of San Francisco, Frank Jordan and Kitt Crenshaw by payment of $30,000. (City Attorney) Administration and Oversight

File 52-92-6. [Underground District) Creating Underground District No. 318 in the Dolores Heights District; companion measure to File 52-92-6.1. (Department of Public Works) City Services

File 114-92-7. [Earthquake Safety Program] Substitute ordinance amending Building Code, by amending Section 104(b) to provide that where a building permit application is filed on or after January 1, 1992 to repair a City-owned building under the Bond-Funded Public Safety Improvement Projects, the building's existing electrical, plumbing, mechanical, fire protection or life-safety systems are not required to comply with this code if the system complies with the code in effect at the time of its construction or installation, the system is safe to continue to operate, and the system is not relocated, altered for reuse, or expanded; adopting findings. (Department of Public Works) Economic and Social Policy

File 124-92-10. [Vehicle Weight Limit] Amending Traffic Code, by adding Sections 28.1.91 and 28.1.92 thereto, relating to prohibiting operation of vehicles in excess of 6000 pounds upon portions of Mariposa and Vermont Streets. (Department of Parking and Traffic) Economic and Social Policy

Resolutions Referred to Committee

File 48-92-24. [Settlement of Claim] Approving the settlement of the unlitigated claim of Victor Lopez by payment of $11,545.76. (City Attorney) Administration and Oversight

File 52-92-6.1. [Lighting Assessment District] Determining to undertake proceedings to form an assessment district pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Dolores Heights District; companion measure to File 52-92-6. (Department of Public Works) City Services

File 146-92-57.1. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a continuing grant of $6,029,444, which includes indirect costs in the amount of $429,170 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the AIDS Prevention Project. (Department of Public Health) Finance

File 146-92-72. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a supplemental grant in the amount of $77,239, which includes indirect costs of $7,317 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to augment a continuation the AIDS Surveillance Project. (Department of Public Health) Finance

Development, for professional special service contracts (Dispute Resolution Program), permanent salaries. (Supervisor Hallinan presented.) Referred to Finance Committee.

File 101-92-8

[Building Code]
Ordinance amending Building Code by amending Section 104(B) to define and set new repair standards for damaged buildings, permit the partial strengthening of undamaged buildings and correct minor typographical errors in Ordinance No. 156-92 and adopting findings. (Supervisor Hsieh presented.) Referred to Economic and Social Policy Committee.

File 114-92-9.1

[Lead]
Ordinance amending Health Code by adding Article 26, Sections 1601 through 1631 to establish a comprehensive lead hazard reduction program. (Supervisors Shelley, Kennedy, Hallinan, Hsieh, Maher, Alioto, Gonzalez presented.) Referred to City Services Committee with request it be considered at the November 17, 1992 meeting.

File 118-92-9

[Building Code]
Resolution endorsing those changes and providing findings as to the local conditions requiring changes of the California Building Standards Code for Buildings, as required by the California Health and Safety Code. (Supervisor Hsieh presented.) Referred to Economic and Social Policy Committee.

File 114-92-9

Requests for Hearings:

File 92-92-53, By Supervisor Shelley: To consider appointment of City's representative to California State Association of Counties. Referred to Administration and Oversight Committee.

File 220-92-2, By Supervisor Alioto: To consider the closure and cutbacks of City libraries. Referred to City Services Committee.

File 293-92-1, By Supervisors Kennedy, Shelley: To consider the operation of the Registrar of Voters office during the recent election. Referred to City Services Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

(Twenty-fourth Street, (south side only) between Alabama and Bryant Streets on Sunday, November 29, 1992, 12 Noon until 6:00 p.m.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Gift Acceptance]
Resolution accepting a gift valued at approximately $45,000 to $50,000 from the John F. Shelley Memorial Committee to the City and County of San Francisco.

File 38-92-26, Resolution No. 947-92

Supervisor Gonzalez presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Achtenberg, Migden - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Waiving Retirement Benefits]
Ordinance amending Administrative Code by amending Section 16.87 to allow elected or appointed officers to waive retirement benefits and thereby be relieved from the limitation in some retirement plans from re-employment or payments for services. (Supervisor Conroy presented.) Referred to Administration and Oversight Committee.

File 97-92-65

[Government Funding]
Ordinance appropriating $220,624, Mayor's Office of Community

File 148-92-8. [Grant - Federal Funds] Authorizing Director of Public Works to apply for, accept and expend Federal funds in the amount of $182,552 for the planting of trees using small local businesses as contractors. (Department of Public Works) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that letters be sent to his Honor, the Mayor, and General Manager, Public Utilities, to inquire when the Board will receive a status report on the Municipal Railway's efforts to develop a fast pass that cannot be counterfeited.

By Supervisors Maher, Shelley, Kennedy, that letter of inquiry be sent to General Manager, Department of Social Services, to determine the policy regarding the General Assistance workfare program and what opportunity a person has who expressed experience and interest in work other than what is offered.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Mary Drybs (Supervisor Shelley)
Leo Wurdinger (Supervisor Britt)
Alan James Despanie (Supervisor Kennedy)

File 2-92-45

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 2:59 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on MAY 17 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 87 No. 46

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Monday, November 16, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 16, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:15 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Noted absent at first roll call:

Supervisor Gonzalez - 1.

Quorum present.

Supervisor Gonzalez was noted present at 2:19 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Maher, moved that the Journals of Proceedings for Monday, November 25, December 9, and December 16, 1991, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Gonzalez - 1.

Presentation Made

There being no objection, on motion of Supervisor Achtenberg, seconded by Supervisor Hallinan, the rules were suspended for the purpose of making a presentation.

Supervisor Achtenberg asked President Kevin Shelley to rise and presented a certificate of commendation to him on the occasion of his thirty-seventh birthday.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance and Economic and Social Policy Committees

Finally Passed

[Parking Meters]
Ordinance amending Traffic Code, to remove the parking facility at 1350 Polk Street from those off-street parking sites on which parking meters may be used. (Parking Authority)

File 124-92-9, Ordinance No. 347-92

(Fiscal Impact)

(Amends Section 32.8.12.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Recommendation of Economic and Social Policy Committee

Finally Passed

[Hazardous Materials]
Ordinance amending Health Code, providing for public notification and participation procedures for unauthorized releases from underground storage tanks. (Supervisors Hallinan, Achtenberg, Shelley, Alioto, Migden)

File 257-92-2, Ordinance No. 348-92

(Amends Sections 1137(a), 1154(e), 1155(b); Adds Section 1143.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

NEW BUSINESS

Recommendations of Economic and Social Policy Committee

Adopted

[Street Vacation]
Resolution declaring intention of Board of Supervisors to vacate subsurface and airspace areas of Fourth Street, southeasterly of Howard Street; and setting the hearing date of December 21, 1992 at 3:00 p.m. for all persons interested in the proposed vacation. (Real Estate Department)

File 164-92-3, Resolution No. 959-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Street Vacation]
Resolution declaring intention of Board of Supervisors to vacate a portion of Main Street, between Bryant Street and The Embarcadero; and setting the hearing date of December 21, 1992 at 3:00 p.m. for all persons interested in the proposed vacation. (Real Estate Department)

File 164-92-4, Resolution No. 960-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Consideration Continued

[Freeway Interchange]
Resolution urging the San Francisco County Transportation Authority to remove the proposed Interstate 280 Interchange at Islais Creek Project from the State Transportation Improvement Program, and reprogram the funds for other priority projects, with first consideration for other roadway projects. (Department of Public Works)

File 171-92-6, Resolution No.

Supervisor Hsieh, seconded by Supervisor Maher, moved to rerefer to Committee.

Motion to rerefer refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hsieh, Maher - 5.

Noes: Supervisors Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 6.

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to December 7, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Noes: Supervisors Conroy, Hsieh - 2.

From Economic and Social Policy Committee Without Recommendation

Rereferred to City Planning Commission

[Zoning Text Amendment]
Ordinance amending City Planning Code, by adding Appendix J designating the Buena Vista North Historic District. (Department of City Planning)

File 115-91-3, Ordinance No.

Supervisor Britt Excused From Voting

Supervisor Britt requested to be excused from voting because he owns property in the area.

Thereupon, Supervisor Hsieh, seconded by Supervisor Maher, moved to excuse Supervisor Britt from voting.

Motion to excused Supervisor Britt from voting adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Refused passage for second reading by the following vote:

Ayes: Supervisors Achtenberg, Hallinan, Maher, Migden - 4.

Noes: Supervisors Alioto, Conroy, Gonzalez, Hsieh, Kennedy, Shelley - 6.

Excused: Supervisor Britt - 1.

Supervisor Maher, seconded by Supervisor Migden, moved to rescind the previous vote.

Motion to rescind the previous vote adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Excused: Supervisor Britt - 1.

Supervisor Migden, seconded by Supervisor Maher, moved to rerefer the matter to the City Planning Commission.

Motion to rerefer to City Planning Commission adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Excused: Supervisor Britt - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

SPECIAL ORDER - 3:00 P.M.

Consideration Continued

[Public Hearing]
Hearing appealing decision of the City Planning Commission by its Motion No. 13410, dated September 24, 1992, approving Conditional Use Application No. 91.746DC to permit two lots to be merged into one lot and authorizing the construction of (six units in a single building designed to have the identity of two-four story buildings) dwellings designed at a density ratio up to one dwelling unit for each 1,000 feet of lot area in an RH-3 (House, Three-Family) District with a 40-X Height and Bulk designation of property located at 117-127 Divisadero Street.

File 37-92-5

(Appeal filed October 23, 1992.)

The Clerk announced that the Board is in receipt of a letter signed by both the appellant and project sponsor requesting that this matter be continued to December 7, 1992.

There being no one present wishing to testify, Supervisor Maher, seconded by Supervisor Hallinan, moved to continue consideration to December 7, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

[Environmental Review]
Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of property located at 117-127 Divisadero Street.

File 37-92-5.1

Supervisor Maher, seconded by Supervisor Hallinan, moved to continue consideration to December 7, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

(Only one of the following two motions should be adopted.)

[Zoning Appeal]
Motion approving decision of the City Planning Commission by its Motion 13410, approving Conditional Use Application No. 91.746DC, of property located at 117-127 Divisadero Street; and adopting findings pursuant to City Planning Code Section 101.1.

File 37-92-5.2

Supervisor Maher, seconded by Supervisor Hallinan, moved to continue consideration to December 7, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

[Zoning Appeal]
Motion disapproving decision of the City Planning Commission by its Motion 13410, approving Conditional Use Application No. 91.746DC, of property located at 117-127 Divisadero Street.

File 37-92-5.3

Supervisor Maher, seconded by Supervisor Hallinan, moved to continue consideration to December 7, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

[Findings]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 91.746DC of property located at 117-127 Divisadero Street, for action by the Board at its next meeting.

File 37-92-5.4

Supervisor Maher, seconded by Supervisor Hallinan, moved to continue consideration to December 7, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

The President reassumed the Chair.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of objections to report of assessment of costs submitted by Director of Public Works for demolition of building known as 22-30 Alta Street ordered to be rendered by said Director pursuant to the provisions of Sections 203(m) and/or 203(o) of the Building Code, the costs thereof having been paid for out of the Repair and Demolition Fund.

File 41-92-4

(Total cost of assessment $336,451.62.)

The privilege of the floor was granted to the following person:

Richard Racio, representing property owner.

From Department of Public Works

Adopted

[Assessment Costs - Code Violations Abatement]
Resolution confirming report of assessment of costs submitted by the Director of Public Works for demolition of building known as 22-30 Alta Street ordered to be rendered by said Director pursuant to the provisions of Sections 203(m) and/or 203(o) of the Building Code, the costs thereof having been paid for out of the Repair and Demolition Fund.

File 41-92-4, Resolution No. 958-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Shelley - 9.

Absent: Supervisors Kennedy, Migden - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ron Norman;
Alan Carson;
Dehnert Queen;
Larry Osborne;
Crocker Amazon resident;
Representative, Bank of America

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Condominium Project]
Motion approving final map of 5264 Third Street, a condominium project, being a resubdivision of Lot 41, in Assessor's Block 5411, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-92-25

(November 9, 1992 - Introduced in Board for consideration November 16, 1992.)

Adopted.

[Condominium Project]
Motion approving final map of 852 Brunswick Street, being a resubdivision of Lots 16, 17 and 18 in Assessor's Block 6472, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-92-26

(November 9, 1992 - Introduced in Board for consideration November 16, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-46, Resolution No. 952-92

(Jim Gonzalez, member, Board of Supervisors, November 23; Rand Castile, Director, Asian Art Museum, November 3 - 10; Sidney Chan, Vice President, Recreation and Park Commission, November 10 - 17; Anne Halsted, member, Port Commission, November 7 - 13; Michael Huerta, Executive Director, Port, November 4 - 5; Alonzo King, member, Arts Commission, November 4 - 14; Ray Telles, member, Film and Video Arts Commission, December 8 - 10; Patricia Underwood, member, Health Commission, November 4 - 13, 1992.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Commendation]
Resolution commending Thomas F. Murphy for his lasting commitment to the people of the City and County of San Francisco.

File 6-92-25, Resolution No. 953-92

Supervisors Conroy, Alioto, Hsieh, Achtenberg, Shelley presented for immediate adoption.

Adopted.

[Commendation]
Resolution commemorating the Recreation Center for the Handicapped for its forty years of service to the people of San Francisco.

File 6-92-26, Resolution No. 954-92

Supervisors Conroy, Alioto, Hsieh, Achtenberg, Shelley presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of portion of Twenty-fourth Street, between Alabama and Bryant Streets, on Sunday, November 29, 1992, 12 Noon until 6:00 p.m. for a street fair.

File 42-92-58.2, Resolution No. 955-92

Supervisor Gonzalez presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of portion of Castro Street, between 18th and 19th Streets, Sunday, December 6, 1992, 4:00 p.m. until 8:00 p.m., for a Christmas Tree lighting celebration.

File 42-92-60, Resolution No. 956-92

Supervisor Migden presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of portion of Waverly Place, between Washington and Clay Streets, Monday, November 23, 1992, 7:00 a.m. until 10:00 p.m., for the filming of a motion picture by Joy Luck Company.

File 42-92-61, Resolution No. 957-92

Supervisor Shelley presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Seismic Safety Retrofit Program]
Ordinance amending Administrative Code by adding Chapter 65, Sections 65.1 through 65.5 to create certain regulations to assist in implementing the City's Seismic Safety Retrofit Bond Program and adding a section to create the Seismic Strengthening Fund. (Supervisor Hsieh presented.) Referred to City Services Committee with request it be considered at the December 1 meeting.

File 97-92-66, Ordinance No.

Referred to the Board

[Commendation]
Resolution commending the United Way for leadership and urging San Franciscans to generously contribute to the work of the United Way. (Supervisors Achtenberg, Conroy, Migden, Hsieh, Alioto, Shelley presented.) Referred to Board November 23, 1992 For Adoption Without Committee Reference Calendar.

File 6-92-24

[Commander Isiah Nelson]
Resolution placing San Francisco on record in support of the

dedication of a portion of Interstate 280 to the memory of the late Commander Isiah Nelson, and urging San Francisco's State Legislative Delegation, San Francisco Lobbyist and the California Department of Transportation to take all steps necessary to accomplish that goal. (Supervisors Shelley, Kennedy, Conroy, Maher, Hsieh presented.) Referred to Board November 23, 1992 For Adoption Without Committee Reference Calendar.

File 12-92-41

[1993 March on Washington]
Resolution endorsing the 1993 March on Washington for lesbian, gay and bi-equal rights and liberation. (Supervisor Alioto presented.) Referred to Board November 23, 1992 For Adoption Without Committee Reference Calendar.

File 13-92-19

Requests for Hearings:

File 27-92-11, By Supervisor Gonzalez: To consider authorizing agreement by and between the City, the Airports Commission and various airlines regarding an advance payment to the City of $25 million from the Airport's Capital Improvement Fund. Referred to Finance Committee with request it be considered at the December 2, 1992 meeting.

File 108-92-1, By Supervisor Alioto: To consider the breadth and efficiency of AIDS service delivery in San Francisco and to consider the need for possible consolidation of services. Referred to City Services Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-92-69. [Settlement of Litigation] Authorizing settlement of litigation of Gaudiya Vaishnava Society, et al against the City and County of San Francisco, et al. by payment of $29,500. (City Attorney) Administration and Oversight

File 90-92-1. [Landmark] Designating the Golden Gate Commandery of the Knight Templar (Macedonia Missionary Baptist Church) at 2135 Sutter Street as a landmark pursuant to Article 10 of the City Planning Code. (Department of City Planning) Economic and Social Policy

File 97-92-64. [City Planning Department Membership] Amending Administrative Code by amending Section 16.6-13 to provide for City Planning Commission membership in the Association for Commuter Transportation. (Department of City Planning) Administration and Oversight

File 101-92-9. [Government Funding] Appropriating $5,100, Art Commission, for other services (police security). (Controller) Finance

File 123-92-4. [Residential Users Appeals Board] Amending Public Works Code by amending Section 149.1, relating to rate paid to members of Residential Users Appeals Board. (Department of Public Works) Economic and Social Policy

File 124-92-11. [Parking Regulations] Amending Traffic Code, by adding Section 32.6.16, adding a portion of Elm Street, south side, between Van Ness Avenue and Polk Street, to the list of streets on which parking restrictions shall apply. (Department of Parking and Traffic) Economic and Social Policy

Resolutions Referred to Committee

File 38-92-27. [Acceptance of Gift] Accepting a gift to the San Francisco Public Library in the amount of $9,614,568 from the Library Foundation of San Francisco to fund building enhancements for new Main Library. (Public Library) Finance

File 68-92-11. [Grant - Federal Funds] Authorizing the Mayor to apply for, accept and expend funds in the amount of $1,062,500 in year one and $750,000 in each subsequent year through September 29, 1997, which include indirect costs in the amount of $21,250 year one, or two percent of the total grant award hereafter, made available through the Department of Health and Human Services, Office of Human Development for a project entitled "San Francisco Gang Prevention Project; and agreeing to provide in-kind match in the amount of $459,207; providing for ratification of action previously taken. (Mayor) Finance

File 82-92-9. [Property Acquisition - Noise Easements] Authorizing the acquisition of one hundred additional noise easements in the City of South San Francisco in their Phase VII Program - $250,000. (Real Estate Department) Finance

File 148-92-9. [Grant - State Funds] Authorizing the Director of Public Works to expend up to $1,044,335 from the State of California for roadway work on city streets in accordance with the State-Local Transportation Partnership Program (3rd Cycle) foregoing reimbursement of indirect costs. (Department of Public Works) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Britt, Migden, Achtenberg, Alioto, that City Attorney prepare resolution to boycott the State of Colorado.

By Supervisor Gonzalez, that City Attorney prepare appropriate

legislation to permit installation of former Mayor Shelley's sculptural bust inside City Hall at the left of the northeast pillar, closest to the main entrance of the City Hall Rotunda, on the first floor in time for introduction for immediate adoption at the next Board meeting.

By Supervisor Gonzalez, that letter be sent to the Art Commission inquiring whether the Commission can calendar and expedite approval on the appropriateness of installation of former Mayor Shelley's sculptural bust inside City Hall at the left of the northeast pillar, closest to the main entrance of the City Hall Rotunda, on the first floor in time for the installation and dedication ceremony scheduled for December 11, 1992.

By Supervisor Hsieh, that letters of inquiry be sent to his Honor, the Mayor; Chief, Fire Department; and Director, Real Estate Department, to determine the procedures followed for selecting a new site for the Fire Department headquarters. Specifically, was an investigation of the availability of Civic Center properties undertaken, has a feasibility study of the surplus state property located at 525 Golden Gate Avenue been completed?

By Supervisors Kennedy and Alioto, that letters be sent to his Honor, the Mayor, and Director, San Francisco Housing Authority, concerning the pending eviction of Mr. Paul Flanagan. The Supervisors understand that a hearing was held November 16, 1992 in which the court decided to proceed with the eviction and request that the Director, Housing Authority, reconsider the charges toward Mr. Flanagan and work with him in regards to the allegations and to stop the eviction.

By Supervisor Migden, that letter of inquiry be sent to Director, Department of Parking and Traffic, to obtain information as to the number of vandalized parking meters in San Francisco, lost revenue as a result of vandalism and the Department's plans and timeline to replace the broken meters with revenue generating meters.

By Supervisor Shelley, that City Attorney provide opinion on compliance with the Office Housing Production Program requirements as it relates to the McAllister Tower at 100 McAllister Street and how the requirements may affect the development of this site.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Pamela Murray (Supervisor Shelley)
Antonio Martinez (Supervisor Kennedy)
Anna Jennings (Supervisor Alioto)
Chris Minor-Mulholland (Supervisor Achtenberg)
Julio Calvo-Perez (Supervisors Conroy, Alioto)
Adam Powers (Supervisors Conroy, Alioto)
Claire B. Batiquin (Supervisor Migden)

File 2-92-46

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:39 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on MAY 24 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Vol. 87 No.47

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Monday, November 23, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 23, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:13 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Noted absent at first roll call:

Supervisors Achtenberg, Conroy, Gonzalez - 3.

Quorum present.

Supervisor Achtenberg excused. (See infra.)

Supervisor Conroy was noted present at 2:17 p.m.

Supervisor Gonzalez excused, on official leave of absence.

Supervisor Achtenberg Excused

The Clerk announced that Supervisor Achtenberg, requested to be excused from attending today's meeting. Supervisor Kennedy, seconded by Supervisor Hallinan, moved to excuse Supervisor Achtenberg from today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Britt, Conroy, Gonzalez - 4.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Hsieh, moved that the Journals of Proceedings for Monday, January 6 and 13, and Tuesday, January 21, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

Suspension of the Rules; Presentation Made

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to suspend the Rules of Order of the Board of Supervisors for the purpose of presenting some commendations.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

Supervisor Kennedy presented commendations to the following City employees for their hard work and diligence on the Minority/Women/Local Business Utilization program (MBE/WBE/LBE Ordinance):

Trudye Byars, Purchasing Department;
Raymond Low, Purchasing Department.

CONSENT CALENDAR

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $5,100, Art Commission, for other services (police security). (Controller)

File 101-92-9, Ordinance No.

Passed for second reading.

Adopted

[Contract]
Resolution concurring with the Controller's certification that

Coordinator and Mentor Services for the Independent Living Skills Project can be practically performed at the Department of Social Services by private contractor for lower cost than similar work services performed by City and County employees. (Department of Social Services)

File 25-92-33, Resolution No. 969-92

Adopted.

[Lease of Real Property]
Resolution authorizing a new lease of real property at 25 Taylor Street, Rooms 612 and 614, for Department of Public Health. (Real Estate Department)

File 64-92-26, Resolution No. 965-92

Adopted.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Brian Bringardner, et al. against Cairns, et al. (City Attorney)

File 45-92-66, Ordinance No.

(Superior Court No. 920-290.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Tommy McGowan against the City and County by payment of $12,000. (City Attorney)

File 45-92-67, Ordinance No.

(San Francisco Municipal Court No. 070-769.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Johnson Miller against the City and County, Frank Jordan and Kitt Crenshaw by payment of $30,000. (City Attorney)

File 45-92-68, Ordinance No.

(United States District Court Case No. C89-1892-FMS.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of City and County against Bill Rayson Louie, Wai Lan Louie, Raymond King Tong Lui and Tracy Fung Sum Lui by accepting consideration in the total amount of $21,000 payable in cash and discharging said persons above-named from further liability. (Tax Collector)

File 46-92-22, Ordinance No.

(Superior Court No. 946 163.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of City and County against Albert F. Vella for $8,000 to be paid to the General Fund. (City Attorney)

File 46-92-23, Ordinance No.

(Superior Court No. 938 838.)

Passed for second reading.

Adopted

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Sandy D'Agostino by payment of $6,000. (City Attorney)

File 48-92-23, Resolution No. 972-92

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Victor Lopez by payment of $11,545.76. (City Attorney)

File 48-92-24, Resolution No. 973-92

Adopted.

[State Disability Insurance]
Resolution authorizing enrollment of Classification 8161 Chief,

Family Support Investigator in the State Disability Insurance Program. (Employee Relations Division)

File 89-92-20, Resolution No. 976-92

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating, retroactively, $220,624, Mayor's Office of Community Development, for professional special service contracts (Dispute Resolution Program), permanent salaries. (Supervisor Hallinan)

File 101-92-8, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

Adopted

[Gift Acceptance]
Resolution accepting retroactively, one gift valued at $5,480 from Wells Fargo Bank, for publication of the Recreation and Park Department Summer Activities Brochure. (Recreation and Park)

File 38-92-25, Resolution No. 971-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

[Extension of Existing Real Property Lease]
Resolution authorizing, retroactively, exercise of an option to extend the existing lease of Pier 70 from the Port for use by the Police Department. (Real Estate Department)

File 64-92-25, Resolution No. 974-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

Adopted

[Federal Funding - Community Development]
Resolution approving the 1993 Community Development Program, authorizing the Mayor on behalf of the City and County of San Francisco to apply for, receive and expend the City's 1993 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development; transfer and expend reprogrammed funds from prior year Community Development Programs up to $21,708,373, which includes indirect costs of $80,000; and an estimated $12,183,000 in program income generated by the San Francisco Redevelopment Agency; approving expenditure schedules for recipient departments and agencies as amended and for indirect costs, and determining no environmental evaluation is required authorizing the receipt and deposit in contingencies of 1993 CDBG entitlement funds in excess of $21,708,373; placing $815,791 on reserve. (Mayor)

File 79-92-3, Resolution No. 975-92

Supervisor Hsieh, seconded by Supervisor Maher, moved to revise the expenditure schedule to provide funding for the Career Resources Development Center in the amount of $35,528.

Motion to amend the expenditure schedule adopted by the following vote:

Ayes: Supervisors Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Britt, Gonzalez - 4.

Supervisor Kennedy, seconded by Supervisor Maher, moved to revise the expenditure schedule to provide funding for the Renaissance Technical Training Institute in the amount of $30,443.

Motion to amend the expenditure schedule adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

In connection with the above item, the title, line 10, was corrected to reflect approving the expenditure schedule, as amended, by inserting "as amended" after the word "agencies".

Adopted

[Office of Criminal Justice Planning Funding]
Resolution authorizing the Chief of Police, retroactively, to apply for, accept and expend funds in the amount of $110,000, which includes indirect costs of $6,111 based on five percent of the total grant award, made available through the Office of Criminal Justice Planning for a project entitled "Crime Prevention Expansion Project, Mission Corridor", and agreeing to provide cash match in the amount of $12,222 dollars. (Police Commission)

File 143-92-5, Resolution No. 986-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, to accept and expend a grant of $42,402 from the State Department of Health Services; for an augmentation of immunization services; waiving indirect costs; placing $5,000 on reserve. (Department of Public Health)

File 146-92-39.1, Resolution No. 987-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services, to accept and expend a grant of $283,000 which includes indirect costs in the amount of $14,150 based on five percent of the total award from the State Department of Mental Health Services; for consultation, education and information services to San Francisco residents; providing for ratification of action previously taken. (Department of Public Health)

File 146-92-40.1, Resolution No. 988-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Special Programs for Youth, to retroactively apply for, accept and expend a grant of $66,422 which includes indirect costs in the amount of $11,070 based on twenty percent of salaries from the American Foundation for AIDS Research, to investigate the epidemiology of high risk adolescents in San Francisco; providing for ratification of action already taken. (Department of Public Health)

File 146-92-54, Resolution No. 989-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hsieh, Kennedy, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Hallinan - 4.

Adopted as Amended

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuing grant of $6,029,444, which includes indirect costs in the amount of $429,170 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the AIDS Prevention Project; placing $209,512 on reserve. (Department of Public Health)

File 146-92-57.1, Resolution No. 990-92

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to amend line 12 by deleting "Finance Committee" and inserting "Board of Supervisors".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

Adopted

[Grant - State Funds]
Resolution authorizing the Department of Public Health, to accept and expend a grant allocation of $10,782,909, for fiscal year 1992-93 funding from State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds, for medical services to indigent persons, professional services, medical services contracts, materials and supplies, facilities rental, personal services, and indirect costs in the amount of $152,841 based on 1.658646 percent of County Hospital and other Health Services CHIP allocations. (Department of Public Health)

File 146-92-61.1, Resolution No. 991-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a supplemental grant in the amount of $77,239, which includes indirect costs of $7,317 based on twenty percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to augment a continuation of the AIDS Surveillance Project. (Department of Public Health)

File 146-92-72, Resolution No. 992-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

[Grant - Federal Funds]
Resolution authorizing Director of Public Works to apply for, retroactively, accept and expend Federal funds in the amount of $182,552 for the planting of trees using small local businesses as contractors; waiving indirect costs; placing $182,552 on reserve. (Department of Public Works)

File 148-92-8, Resolution No. 993-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

[Municipal Court Commissioner]
Resolution authorizing the appointment of a commissioner for the San Francisco Municipal Court and assuming all costs as required by State law. (Supervisor Migden)

File 198-92-3, Resolution No. 995-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

Recommendations of Administration and Oversight Committee

Passed for Second Reading as Amended

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

[Commission on San Francisco's Environment]
Ordinance amending Administrative Code, creating the Commission on San Francisco's Environment to advise the Board of Supervisors on legislation and policy related to the City's environment and

ecology. (Supervisors Britt, Shelley, Achtenberg, Alioto, Migden, Hallinan)

File 97-92-60, Ordinance No.

(Adds Sections 5.150 through 5.152.)

Supervisor Britt, seconded by Supervisor Hsieh, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

The President reassumed the Chair.

Passed for Second Reading

[Salaries and Benefits]
Ordinance approving the provision of salary increases, dental benefits and two paid furlough days for fiscal year 1992-93 to the Airport Police Chief and the Airport Deputy Police Chief effective July 1, 1992 and subject to the execution of waivers regarding the 1991-92 wage freeze. (Mayor)

File 106-92-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

Adopted

[Appointment]
Resolution appointing member to the Emergency Medical Care Committee for term ending June 30, 1995. (Administration and Oversight Committee)

File 92-91-15, Resolution No. 977-92

(Gregory Winters, vice Commander Isiah Nelson, San Francisco Police Department, deceased.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

[Appointment]
Resolution appointing member to Maternal, Child and Adolescent Health Board, for the new three-year term ending August 31, 1995. (Administration and Oversight Committee)

File 92-91-45, Resolution No. 978-92

(Paul Kulp, RN, vice Catherine Dodd, RN, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

[Appointment]
Resolution appointing member to the City-Wide Alcoholism Advisory Board, for three-year term ending July 1, 1995. (Administration and Oversight Committee)

File 92-92-29, Resolution No. 979-92

(Mary Jane D'Orazi, vice herself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

[Appointments]
Resolution appointing members to the Maternal, Child and Adolescent Health Board, terms expired, for three-year terms ending August 31, 1995. (Administration and Oversight Committee)

File 92-92-45.1, Resolution No. 980-92

(Ellie Journey, vice herself;

Judith A. Levine, vice herself;
Barbara Williamson, vice herself;
Anita DeFrantz, vice herself;
Harry Coren, MD, vice himself;
Sari Wade, vice herself;
Saralie B. Pennington, vice herself.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

[Appointments]
Resolution appointing members to the Elder Abuse Task Force, for terms ending July 1, 1993. (Administration and Oversight Committee)

File 92-92-46.1, Resolution No. 981-92

(Mary Joy Quinn;
Carol Yaggy;
Doris Thomas;
Lisa Nerenberg;
David Ishida;
Candice Heisler.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Gonzalez - 3.

Adopted as Amended

[Appointments]
Resolution appointing members to the Task Force on Youth Employment, for terms ending February 8, 1993. (Administration and Oversight Committee)

File 92-92-50.1, Resolution No. 982-92

(John Noguchi, Chief Administrative Officer;
Anthony Lincoln, Mayor's Office-Children, Youth and Families;
Robert Mason, Department of Public Works;
Geraldine Johnson, at-large, Western Addition;
Dennis Caines, Civil Service Commission;
Toye Moses, at-large, Bayview/Hunters Point;
Dr. Cecil Churchwell, Mayor's Bayview/Hunters Point Task Force;
((Essie Collins, Mayor's Western Addition Task Force;))
Tom Mayfield, Mayor's Gang Prevention Project;

James McElroy, Bayview/Hunters Point Foundation;
Millard Larkin, Ella Hill Hutch Community Center;
George Mix, Bay Area Urban League;
Tanya Bernard, Western Addition Program Participant;
Howard Smith, Western Addition Program;
Janice Taylor, Bayview/Hunters Point Program Participant;
Anthony Terrell, Bayview/Hunters Point Program Participant.)

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to amend by deleting "Essie Collins, Mayor's Western Addition Task Force".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

Adopted

[Appointments]
Resolution appointing members to the Bicycle Advisory Committee, terms expiring December 31, 1992, for the three-year term ending December 31, 1995. (Administration and Oversight Committee)

File 92-92-52.1, Resolution No. 983-92

Marilyn Hope Smulyan, at-large, vice herself;
Lucinda J. Means, at-large, vice herself.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

[Appointment]
Resolution appointing member to the Board of Directors, California State Association of Counties. (Administration and Oversight Committee)

File 92-92-53, Resolution No. 984-92

(Supervisor Kennedy, vice herself.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

Recommendations of City Services Committee

Adopted

[Map Approval - Street Dedication]
Resolution approving map showing the widening of various streets in "The Embarcadero Corridor Reconstruction Project Area"; declaring it to be open public street dedicated to public use; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 35-92-1, Resolution No. 970-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

Passed for Second Reading

[Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1507 changing the official width of sidewalk on The Embarcadero Corridor Project Area as shown on Department of Public Works maps numbered from Q-20-391 to Q-20-399 inclusive; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-92-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

[Credit Cards]
Ordinance amending Administrative Code, relating to the acceptance of credit cards at Department of Public Health facilities. (City Attorney)

File 97-92-55, Ordinance No.

(Amends Section 10.11-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

[Uniform Fire Code - Amendments]
Ordinance repealing Fire Code, adopting by reference the Uniform Fire Code, 1991 Edition and San Francisco amendments thereto; providing for effective date of January 15, 1993. (Fire Commission)

File 117-92-1, Ordinance No.

(Repeals Part II, Chapter IV.;
Adds Part II, Chapter IV.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

Adopted

[Fire Code]
Resolution endorsing those changes and providing findings as to the local conditions requiring changes of Part IX, of the California Fire Code, of the State Building Standards Code, for fire safety and protection, as required by California Health and Safety Code; companion measure to File 117-92-1. (Fire Commission)

File 117-92-1.1, Resolution No. 985-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

[Street Artists]
Resolution designating five former temporary selling spaces on Market Street, south side, Sutter and Sansome Streets, for a period of six months, and four former temporary selling spaces on Market Street, south side, Sutter and Sansome Streets, and three former temporary selling spaces on Sutter Street, south side, at Market Street, as temporary selling spaces terminating on January 15, 1993, for street artists certified by the Art Commission, City and County of San Francisco; providing for review of the five designations in

May of 1993 and describing the issues to be considered in such review; and holding harmless from any litigation any building adjacent to said spaces. (Supervisor Hallinan)

File 169-92-3, Resolution No. 994-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Rev. Amos Brown;
Tenant, Geneva Towers;
Ms. Johnson;
Jeff;
Colleen O'Hare;
Ron Norman;
Theresa Boyle;
Audrey Hines;
Jane Doe;
John Doe;
Carl Williams;
Robert Penrose;
Keith McHenry;
William Tocco.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commendation]
Resolution commending the United Way for leadership and urging San Franciscans to generously contribute to the work of the United Way. (Supervisors Achtenberg, Conroy, Migden, Hsieh, Alioto, Shelley)

File 6-92-24, Resolution No. 966-92

(November 16, 1992 - Introduced in Board for consideration November 23, 1992.)

Adopted.

[Commander Isiah Nelson]
Resolution placing San Francisco on record in support of the dedication of a portion of Interstate 280 to the memory of the late Commander Isiah Nelson, and urging San Francisco's State Legislative Delegation, San Francisco Lobbyist and the California Department of Transportation to take all steps necessary to accomplish that goal. (Supervisors Shelley, Kennedy, Conroy, Maher, Hsieh)

File 12-92-41, Resolution No. 967-92

(November 16, 1992 - Introduced in Board for consideration November 23, 1992.)

Adopted.

[1993 March on Washington]
Resolution endorsing the 1993 March on Washington for lesbian, gay and bi-equal rights and liberation. (Supervisor Alioto)

File 13-92-19, Resolution No. 968-92

(November 16, 1992 - Introduced in Board for consideration November 23, 1992.)

Adopted.

[Condominium Project]
Motion approving final map of 1100 Eddy Street, a condominium project, being a resubdivision of Lot 49, in Assessor's Block 735, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-92-27

(November 16, 1992 - Introduced in Board for consideration November 23, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Kennedy, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Gonzalez, Hsieh, Maher - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-47, Resolution No. 962-92

(Roberta Achtenberg, member, Board of Supervisors, November 22 - 29; Willie B. Kennedy, member, Board of Supervisors, December 4 - 6; Ming Chang, member, Port Commission, November 26 - December 1; John E. Cribbs, Director, Department of Public Works, November 17 - 25; Lee Ann Monfredini, member, Commission on the Aging, November 20 - 29 and December 27 - January 4, 1993; Roselyne C. Swig, member, Library Commission, October 30 - November 2, November 8 - 15 and November 24 - December 1, 1992.)

Adopted.

[Election Declaration]
Resolution declaring the results of the Consolidated General Election conducted November 3, 1992, in the City and County of San Francisco. (Clerk of the Board)

File 60-92-12, Resolution No. 961-92

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Commendation]
Resolution commending "Stars of the San Francisco Police Department" in recognizing the members of the Police Department who have dedicated their lives to the people of San Francisco.

File 6-92-27, Resolution No. 963-92

Supervisor Conroy presented for immediate adoption.

Adopted.

[Appointment]
Resolution appointing Robert Davis to the Task Force on Youth Employment, for term ending February 8, 1993.

File 92-92-50.2, Resolution No. 964-92

Supervisor Kennedy presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Kennedy, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Gonzalez, Hsieh, Maher - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Zoning Map]
Ordinance amending City Planning Code by amending the Zoning Map for properties generally described as Assessor's Block 2696, Lots 31, 32, 33, 34 and 35 from RH-3 to Castro Street Neighborhood Commercial District; and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Achtenberg presented.) Referred to Economic and Social Policy Committee.

File 36-92-5

[Zoning Map]
Ordinance amending City Planning Code by amending the Zoning Map for properties generally described as Assessor's Block 2696, Lots 31 and 32 from RH-3 to NC-1; and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Achtenberg presented.) Referred to Economic and Social Policy Committee.

File 36-92-6

[Giants Candlestick Park Lease Amendment]
Ordinance approving a lease amendment entered into by the Recreation and Park Commission and the San Francisco Giants, which reduces the City's revenue from the agreement by approximately $725,000 per year (amount will vary with attendance) through the year 1997 and assigns the right to further revenues from the agreement to furnish scoreboard to the Giants during the term of the lease. The City further assumes the obligations for utilities and maintenance of the playing field at a cost of approximately $250,000 per season. (Supervisor Alioto presented.) Referred to Finance Committee.

File 65-92-15

[Government Funding]
Ordinance appropriating $86,213,304, Public Library, for capital improvement project (main library and branches), 1988 Library Improvement Bond Program. (Supervisor Migden presented on behalf of Supervisor Gonzalez.) Referred to Finance Committee.

File 101-92-10.1

[Government Funding]
Ordinance appropriating $335,134, Superior Court, for professional and other contractual services, services of other departments - Real Estate, Public Health, City Planning, courthouse construction. (Supervisor Migden presented.) Referred to Finance Committee with request it be considered at the December 2, 1992 meeting.

File 101-92-12

[Government Funding]
Ordinance appropriating $12,020,375, Water Department, for various capital improvement projects, rescinding $4,700,000. (Supervisor Migden presented on behalf of Supervisor Gonzalez.) Referred to Finance Committee.

File 101-92-13

[Government Funding]
Ordinance appropriating $10,716,761, Hetch Hetchy Water and Power, for various capital improvement projects. (Supervisor Migden presented on behalf of Supervisor Gonzalez.) Referred to Finance Committee.

File 101-92-14

[Airport Advance]
Resolution authorizing agreement by and between the City, the Airports Commission and various airlines regarding an advance payment to the City of $25 million from the Airports' Capital Improvement Fund. (Supervisor Migden presented on behalf of Supervisor Gonzalez.) Referred to Finance Committee.

File 27-92-11

Referred to Board

[Healthy City]
Resolution supporting the Healthy Cities concept, development and implementation of the San Francisco Healthy Cities Project and authorizing application by the Department of Public Health to the California Healthy Cities Project for designation of San Francisco as a California Healthy City. (Supervisor Achtenberg presented.) Referred to Board December 7, 1992 For Adoption Without Committee Reference Calendar.

File 30-92-11

Referred to Committee

[Sony Scoreboard]
Resolution approving an agreement between the Recreation and Park Commission and the San Francisco Giants granting all rights to revenues from video advertising on the Sony scoreboard at Candlestick Park during baseball season to the San Francisco Giants (potential revenues unknown). (Supervisor Alioto presented.) Referred to Finance Committee.

File 65-92-16

[Scoreboard]
Resolution approving an amendment to the agreement to furnish scoreboard between the Recreation and Park Commission and the Sony Corporation, which enables the City to expand its use of non-video advertising at Candlestick. (Supervisor Alioto presented.) Referred to Finance Committee.

File 65-92-17

[Scoreboard Operating Agreement]
Resolution approving an amendment to the Scoreboard Operating Agreement between the Recreation and Park Commission and the San Francisco Giants, whereby the City will assign its rights to an operating fee from Sony to the San Francisco Giants. In return, the Giants will assume the obligation and associated costs of operating the scoreboard year-round. (Supervisor Alioto presented.) Referred to Finance Committee.

File 65-92-18

[Parking Lot Agreement]
Resolution approving an amendment to the Candlestick Park Parking Lot Operating Agreement between the Recreation and Park Commission and the San Francisco Giants, which designates the Giants as exclusive operators of the parking lot during baseball season and which reduces the City's revenues by approximately $1,150,000 per year. (Supervisor Alioto presented.) Referred to Finance Committee.

File 65-92-19

[Grant, Federal]
Resolution amending Resolutions 858-90 and 116-92, authorizing the Mayor to apply for, accept and expend funds in the amount of $721,186 as made available through the Federal Office for Substance Abuse Prevention for a project entitled "The Community Partnership Program", by authorizing the Mayor to apply for, accept and expend funds in the amount of $1,273,997. (Supervisor Migden presented.) Referred to Finance Committee with request it be considered at the December 2, 1992 meeting.

File 68-92-12

[Earthquake Safety Program]
Resolution endorsing those changes and providing findings as to the local conditions requiring changes from the California Building Standards Code, as required by the California Health and Safety Code. (Supervisor Hsieh presented.) Referred to City Services Committee with request it be considered at the December 1, 1992 meeting.

File 97-92-66.1

[Redevelopment Agency Budget and Bonds]
Resolution approving an amendment to the budget of the Redevelopment Agency for fiscal year 1992-93. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 161-92-5.1

[Airport Revenue Bonds]
Substitute resolution approving the issuance of up to $2,400,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Bonds in up to fifteen separate issues for the purpose of financing Airport Master Plan projects; approving maximum interest rates with respect thereto; and adopting findings pursuant to the California Environmental Quality Act. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 170-92-13

Referred to Board

[Mid State Toll Road]
Resolution opposing the Mid State Toll Road. (Supervisors Shelley, Kennedy presented.) Referred to Board December 7, 1992 For Adoption Without Committee Reference Calendar.

File 171-92-8

[911 Emergency Response]
Resolution urging the Mayor to take all steps necessary to bring the San Francisco Police Department Communications Center to the level of staffing authorized in the fiscal year 1992-93 budget and to work

with the Police Department to increase efficiency at the Communications Center. (Supervisor Shelley presented.) Referred to Board December 7, 1992 For Adoption Without Committee Reference Calendar.

File 207-92-11.1

[Retirement System]
Resolution urging the Mayor to urge the Retirement Board to adjust its rates of contributions for fiscal year 1992 and fiscal year 1993 using plan experience data through fiscal year 1992 which is now available. (Supervisors Conroy, Alioto, Shelley presented.) Referred to Board December 7, 1992 For Adoption Without Committee Reference Calendar.

File 210-92-3

Referred to Committee

[Bank of America, removal of funds]
Resolution urging the transfer of two City remittance banking accounts from the Bank of America, urging the transfer of City revolving banking accounts from the Bank of America, urging that Bank of America not be used for the City's proposed direct payroll deposit program and urging all officers and employees of the City and County, when given the opportunity to utilize the services of a financial institution for the City, to consider the use of financial institutions other than the Bank of America. (Supervisor Achtenberg presented.) Referred to Finance Committee with request it be considered at the December 2, 1992 meeting.

File 260-92-1

[Hetch Hetchy Department Funds]
Motion that the Board of Supervisors transfer to the General Fund excess Hetch Hetchy Department monies, in the amount of $2,500,000, pursuant to Charter Section 6.407(e), effective July 1, 1992. (Supervisor Migden presented on behalf of Supervisor Gonzalez.) Referred to Finance Committee.

File 100-92-10

[Water Department Funds]
Motion that the Board of Supervisors transfer to the General Fund excess Water Department monies, in the amount of $4,700,000, pursuant to Charter Section 6.407(e), effective July 1, 1992. (Supervisor Migden presented on behalf of Supervisor Gonzalez.) Referred to Finance Committee.

File 100-92-11

Requests for Hearings

File 19-92-16, By Supervisor Achtenberg: To consider designating motorcycle parking zone in front of New College, 50 Fell Street. Referred to Economic and Social Policy Committee.

File 101-92-15, By Supervisor Alioto: To consider appropriating $93,097, Department of Public Health, for implementing the Medical Waste Generator Procedure Program. Referred to Finance Committee.

File 101-92-16, By Supervisor Britt: To consider prohibiting funding of travel by employees to Colorado and urging a boycott of Colorado products. Referred to Finance Committee.

File 102-92-7, By Supervisor Alioto: To consider amending the Annual Salary Ordinance, Department of Public Health, by adding two positions (Classification 6122 and 1446). Referred to Finance Committee.

File 121-92-12, By Supervisor Britt: To consider the conflict developing from the removal of signs and flyers by citizens from city street lights and poles. Referred to City Services Committee.

File 176-92-3, By Supervisor Kennedy: To consider the recent termination of employees of the Cathedral Hill Hotel. Referred to Economic and Social Policy Committee with request it be considered at the December 8, 1992 meeting.

File 224-92-2, By Supervisor Alioto: To consider the problems faced by small businesses in complying with zoning and building codes requirements and how this affects the viability of retaining small businesses in San Francisco's neighborhood commercial districts. Referred to Economic and Social Policy Committee.

File 223-92-2, By Supervisor Kennedy: To consider the conditions that exist in the African American Community relating to housing, crime, employment, education, economic development). Referred to Economic and Social Policy Committee.

File 253-92-2, By Supervisor Hsieh: To consider the action plans of the Workers Compensation Task Force. Referred to City Services Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 65-92-14. [Lease of Property] Authorizing lease of Water Department land, approximately .71 acres of pipeline right-of-way in Santa Clara County to the Roman Catholic Bishop of San Jose. (Public Utilities Commission) Finance

File 101-92-11. [Government Funding] Appropriating $2,400,000,000, Airports Commission, for Near Term Master Plan Projects. (Controller) Finance

Resolutions Referred to Committee

File 146-91-1.2. [Grant - State Funds] Authorizing the Department of Public Health, Community Public Health, Bureau of Health Promotion and Education, to expend $118,738 of grant funds which excludes indirect costs from the State Department of Health Services to fund the contractor, Kopell & Associates and Maureen O'Rorke, Public Relations and Advertising, to implement a smoke-free environment outreach and media campaign for San Francisco residents. (Department of Public Health) Finance

File 28-92-12. [Emergency Repair] Authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace the damaged sidewalks, driveways, tree basins, side sewer vents and fencing in areas of heavy pedestrian traffic. (Department of Public Works) Finance

File 40-92-11. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "N" in the North Inner Richmond area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Economic and Social Policy

File 101-92-10. [Findings - Final Environmental Impact Report] Incorporating by reference findings made by the San Francisco Library Commission and the Art Commission and adopting further findings pursuant to the California Environmental Quality Act relating to the appropriation of funds for the new Main Library Project, as analyzed in the San Francisco Main Library Final Environmental Impact Report, (FEIR) Case No. 90.808E; companion measure to Files 38-92-27, 101-92-10.1, and 101-92-10.2. (Department of Public Works) Finance

File 146-92-73. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to accept and expend retroactively a grant of $502,010, which includes indirect costs in the amount of $7,205, based on twenty percent of personnel costs, from the Centers for Disease Control for family planning and HIV research and development services for women; providing for ratification of action already taken. (Department of Public Health) Finance

File 146-92-74. [Grant - Federal Funds] Authorizing the Department of Public Health, Public Health Programs, Family Health Bureau, to accept and expend a grant of $566,947, which includes indirect costs in the amount of $7,068, based on twenty percent of personnel costs, from Centers for Disease Control, for family planning and HIV clinical and educational services for women; providing for ratification of action previously taken. (Department of Public Health) Finance

File 146-92-75. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to apply for retroactively, accept and expend a grant of $358,922, which includes indirect administrative costs in the amount

of $1,700, based on one percent of personnel costs, from California Family Planning Council, Inc., for family planning services; providing for ratification of action previously taken. (Department of Public Health) Finance

File 147-92-5. [Grant - Federal Funds] Authorizing the San Francisco Public Library to accept and expend $34,530 in funds available from the United States Department of Education for a Project Read Outreach Program including indirect cost of $1,644. (Public Library) Finance

File 147-92-6. [Grant - Federal Funds] Authorizing the San Francisco Public Library to accept and expend $29,033 in funds available from the United States Department of Education for a Project Read Outreach Program including indirect cost of $1,383. (Public Library) Finance

File 170-92-12. [Reimbursement from Bond Proceeds] Declaring official intent of the City and County of San Francisco to reimburse funds from proceeds of taxable or tax-exempt indebtedness for certain expenditures incurred in connection with the following projects; (1) providing loans for the seismic strengthening of unreinforced masonry buildings devoted to affordable housing and to market-rate residential, commercial and institutional uses; and (2) the construction and reconstruction of Fire Department facilities. (Chief Administrative Officer) Finance

File 170-92-13. [Airport Revenue Bonds] Approving the issuance of up to $2,400,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Bonds in up to fifteen separate issues for the purpose of financing Airport Master Plan Projects, and approving maximum interest rates with respect thereto. (Airports Commission) Finance

File 172-92-16. [Airport - Public Pay Telephone Agreement] Approving the "Public Pay Telephone Agreement" between Pacific Bell and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Finance

File 173-92-4. [Approval of Hold Harmless Agreement] Authorizing the Port of San Francisco to agree to hold the State of California harmless from all claims arising from State Lands Commission processing of a dredging permit. (Port Commission) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that City Attorney prepare resolution urging the Mayor to provide, from the Earthquake Emergency Fund, $100,000 in additional funding for Neighborhood Emergency Response Team.

By Supervisor Alioto, that City Attorney prepare legislation protecting businesses in neighborhood commercial districts from relocations, during a six month period, due to problems complying

with zoning and building codes and requirements while the Board of Supervisors reviews means to redress the problems faced by landlords and businesses under City Planning Code Section 179.

By Supervisor Britt, that Budget Analyst provide the following information concerning real estate transfer taxes: What is the total income from the real estate transfer tax; what are the gross sales figures from the following classifications of real estate transfers: commercial property, homes valued at over $1 million, homes lacking a homeowner's exemption, residential rental property, residential rental property owned by landlords outside of San Francisco and property bought and sold again within two years.

By Supervisor Conroy, that letter of inquiry be sent to Director, Golden Gate National Recreation Area to determine the number of existing sports facilities at the Presidio and what the plans are to increase or remove them when the Presidio is vacated by the U.S. Army and taken over by the GGNRA.

By Supervisor Conroy, that letters of inquiry be sent to Chief of Police, Directors of Department of Public Works and Department of Parking and Traffic to ascertain what plans they have to improve the traffic safety condition on the stretch of road on Monterey Boulevard, between North Gate Drive and West Gate Drive.

By Supervisor Conroy, that letter of inquiry be sent to General Manager, Civil Service, to determine if the Civil Service Commission is adhering to its one year leave of absence rule and if not, the justification for not following it.

By Supervisor Conroy, that letter be sent to Viacom Cable congratulating them on ten years of AIDS awareness programming and commending them on their efforts and commitment to fighting AIDS.

By Supervisor Hallinan, that Budget Analyst provide the following information concerning the Giants:

.Listing of revenues that the Giants are paying now by specific revenue sources;
.List of total expenditures presently being paid by the Giants which will have to be paid by the City as a result of current pending proposals;
.What are the present tax revenues allocated to Candlestick Park;
.What will be the effect of these proposals on our General Fund;
.Will the legislation passed this year repealing the Giants' exemption from the Stadium Admission Tax be affected by the Mayor's proposal;
.Are the 49ers requesting any similar revenue breaks or lease concessions of a comparable nature;
.Does the Mayor propose to forgive the 49ers of any rental concessions, or other revenues or charges in expenditures at Candlestick Park;
.If additional costs are to be made up by deferring 49ers improvements, how much, what for, and what is the position of the 49ers;
.How many years are left on the Candlestick bonds and what is the amortization schedule; and
.What alternative revenues may be received from other events at Candlestick Park if the Giants left.

By Supervisor Kennedy, that City Attorney prepare resolution which would increase the pilot Youth Employment Program Task Force from seventeen members to nineteen and add an ex-officio member. Those members will be a representative from the NAACP (Lulann McGriff; Critical Incident Response Team (CIRT) Joyce Lane-Jordan and from Supervisor Kennedy's office as the ex-officio member (Gaynell Armstrong).

By Supervisor Kennedy, that letter of inquiry be sent to his Honor, the Mayor, concerning the deletion of the whistle blower program from the 1992-93 budget and request that he reinstate it, pursuant to Administrative Code Section 16.400.

By Supervisor Kennedy, that letter of inquiry be sent to General Manager, Social Service Department, to determine the number of San Francisco children placed in group homes across the State of California and the amount of dollars paid for each child they have sent to group homes.

By Supervisor Migden, that letters of inquiry be sent to the Budget Analyst and Controller requesting report detailing the cost to the City of State and Federal program mandates and the unfunded amount of those mandates which San Francisco must pay.

By Supervisor Migden, that letters be sent to Presidents, Board of Education and Community College Board, inquiring whether each addressee intends to hold a special election in the Spring of 1993 to place the question of extending the sales tax increase for school funding before the voters.

By Supervisor Conroy, that letters be sent to Controller, Director of Health Service System and all Department Heads requesting report on pertinent data on all employees on unpaid leave from the City workforce, what type of leave was requested and granted, all supporting documentation for such leaves and dates of leave expiration. It is requested that copies of such report be provided to the Budget Analyst so he can review the material and the Health Service System so the Health Service system can check their records to determine if the City is paying health benefits to persons on unpaid leave.

By Supervisor Conroy, that Budget Analyst in preparing the management audit of the Retirement System, first review the worker's compensation division.

Motion Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Jean L. Iribarren (Supervisor Conroy)

File 2-92-47

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:55 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on MAY 24 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 87 No. 48

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Monday, December 7, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

Journal of Proceedings
Board of Supervisors

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 7, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:13 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Noted absent at first roll call:

Supervisors Britt, Gonzalez - 2.

Quorum present.

Supervisor Gonzalez was noted present at 2:25 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Achtenberg, moved that the Journals of Proceedings for Monday, January 27 and February 3 and February 10, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating, retroactively, $220,624, Mayor's Office of Community Development, for professional special service contracts (Dispute Resolution Program), permanent salaries. (Supervisor Hallinan)

File 101-92-8, Ordinance No. 350-92

Finally passed.

[Government Funding]
Ordinance appropriating $5,100, Art Commission, for other services (police security). (Controller)

File 101-92-9, Ordinance No. 351-92

Finally passed.

Adopted

[Airport - Public Pay Telephone Agreement]
Resolution approving the "Public Pay Telephone Agreement" between Pacific Bell and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 172-92-16, Resolution No. 1028-92

Adopted.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Brian Bringardner, et al. against Cairns, et al. (City Attorney)

File 45-92-66, Ordinance No. 355-92

(Superior Court No. 920 290.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Tommy McGowan against the City and County by payment of $12,000. (City Attorney)

File 45-92-67, Ordinance No. 356-92

(San Francisco Municipal Court No. 070-769.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Johnson Miller against the City and County, Frank Jordan and Kitt Crenshaw by payment of $30,000. (City Attorney)

File 45-92-68, Ordinance No. 357-92

(United States District Court Case No. C89-1892-FMS.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of City and County against Bill Rayson Louie, Wai Lan Louie, Raymond King Tong Lui, and Tracy Fung Sum Lui by accepting consideration in the total amount of $21,000 payable in cash and discharging said persons above-named from further liability. (Tax Collector)

File 46-92-22, Ordinance No. 358-92

(Superior Court No. 946 163.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of City and County against Albert F. Vella for $8,000 to be paid to the General Fund. (City Attorney)

File 46-92-23, Ordinance No. 359-92

(Superior Court No. 938 838.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Administration and Oversight Committee

Finally Passed

[Commission on San Francisco's Environment]
Ordinance amending Administrative Code, creating the Commission on San Francisco's Environment to advise the Board of Supervisors on legislation and policy related to the City's environment and ecology. (Supervisors Britt, Shelley, Achtenberg, Alioto, Migden, Hallinan)

File 97-92-60, Ordinance No. 349-92

(Adds Sections 5.150 through 5.152.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

[Salaries and Benefits]
Ordinance approving the provision of salary increases, dental benefits and two paid furlough days for fiscal year 1992-93 to the Airport Police Chief and the Airport Deputy Police Chief effective July 1, 1992 and subject to the execution of waivers regarding the 1991-92 wage freeze. (Mayor)

File 106-92-4, Ordinance No. 361-92

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

Recommendations of City Services Committee

Finally Passed

[Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1507 changing the official

width of sidewalk on The Embarcadero Corridor Project Area as shown on Department of Public Works maps numbered from Q-20-391 to Q-20-399 inclusive; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-92-1, Ordinance No. 354-92

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

[Credit Cards]
Ordinance amending Administrative Code, relating to the acceptance of credit cards at Department of Public Health facilities. (City Attorney)

File 97-92-55, Ordinance No. 360-92

(Amends Section 10.11-1.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

[Uniform Fire Code - Amendments]
Ordinance repealing Fire Code, adopting by reference the Uniform Fire Code, 1991 Edition and San Francisco amendments thereto; providing for effective date of January 15, 1993. (Fire Commission)

File 117-92-1, Ordinance No. 362-92

(Repeals Part II, Chapter IV;
Adds Part II, Chapter IV.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

Recommendation of Economic and Social Policy Committee

Adopted

[Freeway Interchange]
Resolution urging the San Francisco County Transportation Authority to remove the proposed Interstate 280 Interchange at Islais Creek Project from the State Transportation Improvement Program, and reprogram the funds for other priority projects, with first consideration for other roadway projects. (Department of Public Works)

File 171-92-6, Resolution No. 1016-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Gonzalez - 2.

NEW BUSINESS

Recommendation of Finance Committee

Adopted as Amended

[Airport Revenue Bonds]
Resolution approving the issuance of up to $2,400,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Bonds in up to fifteen separate issues for the purpose of financing Airport Master Plan Projects, and approving maximum interest rates with respect thereto; and adopting findings pursuant to the California Environmental Quality Act. (Supervisor Gonzalez)

File 170-92-13, Resolution No. 1006-92

Supervisor Kennedy, seconded by Supervisor Maher, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Britt - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Passed for Second Reading as Amended

[Government Funding]
Ordinance appropriating $2,400,000,000, San Francisco International Airport, for Capital Improvement Project, for fiscal year 1992-93; placing $1,554,200 on reserve; companion measure to File 170-92-13. (Controller)

File 101-92-11, Ordinance No.

Supervisor Migden, seconded by Supervisor Alioto, moved to amend the title, line 4, after "1992-93" by inserting "; placing $1,554,200,000 on reserve"; and amend line 22 by inserting "Section 2. Funds in the amount of $1,554,200,000 for construction contracts are placed on reserve, to be released by the Finance Committee."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Passed for Second Reading

[Government Funding]
Ordinance appropriating $304,667, Superior Court, for professional and other contractual services, services of other departments - Real Estate, Public Health, City Planning, courthouse construction; placing $214,267 on reserve. (Supervisor Migden)

File 101-92-12, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Government Funding]
Ordinance appropriating $12,020,375, Water Department, for various capital improvement projects, rescinding $4,700,000. (Supervisor Gonzalez)

File 101-92-13, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Adopted

[Water Department Funds]
Motion transferring to the General Fund excess Water Department monies, in the amount of $4,700,000, pursuant to Charter Section 6.407(e), effective July 1, 1992. (Supervisor Gonzalez)

File 100-92-11

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Passed for Second Reading

[Government Funding]
Ordinance appropriating $10,716,761, Hetch Hetchy Water and Power, for various capital improvement projects. (Supervisor Gonzalez)

File 101-92-14, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Britt - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

Adopted

[Hetch Hetchy Department Funds]
Motion transferring to the General Fund excess Hetch Hetchy Department monies, in the amount of $2,500,000, pursuant to Charter Section 6.407(e), effective July 1, 1992. (Supervisor Gonzalez)

File 100-92-10

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, - 8.

Absent: Supervisors Alioto, Britt, Shelley - 3.

The President reassumed the Chair.

Passed for Second Reading

[Lease of Property]
Ordinance authorizing lease of Water Department land, approximately .71 acres of pipeline right-of-way in Santa Clara County to the Roman Catholic Bishop of San Jose. (Public Utilities Commission)

File 65-92-14, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Britt, Gonzalez, Migden - 3.

Passed for Second Reading as Amended

[Project Lease]
Ordinance approving and authorizing the execution and delivery of an agreement of purchase and sale for real estate (including certain indemnities and the release of the seller contained therein), an assignment of agreement of purchase and sale for real estate, a facilities lease (including certain indemnities contained therein), a trust agreement (including certain indemnities contained therein), and an official statement; authorizing the distribution of an official notice inviting bids in connection with the City and County of San Francisco certificates of participation (1660 Mission Street Project) Series 1993; authorizing the Chief Administrative Officer to fix rents to be charged and to submit budgets for approval; authorizing and ratifying execution of documents reasonably necessary for the execution, delivery and sale of the certificates of participation; and adopting findings pursuant to City Planning Code Section 101.1, all in connection with the acquisition and leasing of the 1660 Mission Street property requiring an annual report to the Board of Supervisors documenting improvements in efficiency and other relevant information which reflects changes resulting from the proposed purchase of the 1660 Mission Street property; companion measure to File 97-92-61. (Chief Administrative Officer)

File 172-92-15, Ordinance No.

Supervisor Migden, seconded by Supervisor Alioto, moved an amendment of the whole entitled, "Ordinance approving and authorizing the execution and delivery of an agreement of purchase and sale for real estate (including certain indemnities and the release of the seller contained therein), an assignment of agreement of purchase and sale for real estate, a facilities lease (including certain indemnities contained therein), a trust agreement (including certain indemnities contained therein), and an official statement; authorizing the distribution of an official notice inviting bids in connection with the City and County of San Francisco certificates of participation (1660 Mission Street Project) Series 1993; authorizing the Chief Administrative Officer to fix rents to be charged and to submit budgets for approval; authorizing and ratifying execution of documents reasonably necessary for the execution, delivery and sale of the certificates of participation; and adopting findings pursuant to City Planning Code Section 101.1, all in connection with the acquisition and leasing of the 1660 Mission Street property; requiring an annual report to the Board of Supervisors documenting improvements in efficiency and other relevant information which reflects changes resulting from the proposed purchase of the 1660 Mission Street property."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Britt, Gonzalez, Migden - 3.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Britt, Gonzalez, Migden - 3.

Passed for Second Reading

[Fee Surcharges]
Ordinance amending Administrative Code by adding Chapter 10F, to establish a surcharge on plan, permit, environmental review, and related fees to recover costs for acquiring office space at 1660 Mission Street; companion measure to File 172-92-15. (Chief Administrative Officer)

File 97-92-61, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Britt, Gonzalez, Migden - 3.

[Medical Waste Generator Registration, Permitting, Inspection, Fees] Ordinance amending Health Code, to provide for a program for enforcement of the California Medical Waste Management Act and for registration, permitting, inspections and administrative fees for medical waste generators, treatment, and storage facilities. (Supervisor Alioto)

File 118-92-8, Ordinance No.

(Adds Article 25.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Britt, Gonzalez, Migden - 3.

Adopted

[Airport Advance]
Resolution authorizing agreement by and between the City, the Airports Commission and various airlines regarding an advance payment to the City of $25 million from the Airports' Capital Improvement Fund. (Supervisor Gonzalez)

File 27-92-11, Resolution No. 1005-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Britt, Gonzalez, Migden - 3.

Adopted as Amended

[Grant - Federal Funds]
Resolution authorizing the Mayor of the City and County of San Francisco to apply for, accept and expend funds in the amount of $1,062,500 in year one and $750,000 in each subsequent year through February 28, 1998 ((September 29, 1997)), which include indirect costs in the amount of $21,250 year one, or two percent of the total grant award hereafter, made available through the Department of Health and Human Services, Office of Human Development for a project entitled "San Francisco Gang Prevention Project; and agreeing to provide in-kind match in the amount of $459,207; providing for ratification of action previously taken. (Mayor)

File 68-92-11, Resolution No. 1021-92

Supervisor Gonzalez, seconded by Supervisor Maher, moved to amend title, page one, line 5 and page three, line one, by replacing "September 29, 1997" with "February 28, 1998".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Adopted

[Federal Grant - Substance Abuse Prevention]
Resolution authorizing the Mayor to apply for, accept and expend funds in the amount of $1,273,997, as made available through the Federal Office for Substance Abuse Prevention for a project entitled "The Community Partnership Program", which includes indirect costs of $35,161; ratifying actions previously taken; and placing $196,000 on reserve. (Supervisor Migden)

File 68-92-12, Resolution No. 1022-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Property Acquisition - Noise Easements]
Resolution authorizing the acquisition of one hundred additional noise easements in the City of South San Francisco in their Phase VII Program - $250,000. (Real Estate Department)

File 82-92-9, Resolution No. 1023-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Reimbursement from Bond Proceeds]
Resolution declaring official intent of the City and County to reimburse funds from proceeds of taxable or tax-exempt indebtedness for certain expenditures incurred in connection with the

construction and reconstruction of Fire Department facilities. (Chief Administrative Officer)

File 170-92-12, Resolution No. 1027-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Approval of Hold Harmless Agreement]
Resolution authorizing the Port of San Francisco to agree to hold the State of California harmless from all claims arising from State Lands Commission processing of a dredging permit. (Port Commission)

File 173-92-4, Resolution No. 1007-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Recommendations of Finance and Administration and Oversight Committee

Adopted

[Salary and Wage Division]
Resolution authorizing Civil Service Commission to expend funds to conduct the 1993-94 Salary Survey. (Civil Service Commission)

File 106-92-2, Resolution No. 1025-92

(Fiscal Impact)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Salary and Wage Division]
Resolution fixing highest generally prevailing wage rates, private employment on public contracts. (Civil Service Commission).

File 106-92-3, Resolution No. 1026-92

(Fiscal Impact)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Recommendations of City Services Committee

Passed for Second Reading

[Underground District]
Ordinance creating Underground District No. 318 in the Dolores Heights District. (Department of Public Works)

File 52-92-6, Ordinance No.

Passed for second by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Adopted

[Lighting Assessment District]
Resolution determining to undertake proceedings to form an assessment district pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Dolores Heights District; companion to measure 52-92-6. (Department of Public Works)

File 52-92-6.1, Resolution No. 1020-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

[Earthquake Safety Program]
Resolution endorsing those changes and providing findings as to the local conditions requiring changes from the California Building Standards Code, as required by the California Health and Safety Code. (Supervisor Hsieh)

File 97-92-66.1, Resolution No. 1024-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing appealing decision of the City Planning Commission by its Motion No. 13410, dated September 24, 1992, approving Conditional Use Application No. 91.746DC to permit two lots to be merged into one lot and authorizing the construction of (six units in a single building designed to have the identity of two-four story buildings) dwellings designed at a density ratio up to one dwelling unit for each 1,000 feet of lot area in an RH-3 (House, Three-Family) District with a 40-X Height and Bulk designation of property located at 117-127 Divisadero Street.

File 37-92-5

(Appeal filed October 23, 1992.)

The following persons were sworn in and granted privilege of the floor:

Appellants:
Roy Bateman;
Gene Chapellas;
Eric Still;
Dehnert Queen.
Robert Anderson.

Respondents:
Glenda Skiffer, representing City Planning Department;
Bobby Sue Hood, Hood Miller Associates;

A rebuttal period was allowed.

The President then declared the hearing closed.

Adopted

[Environmental Review]
Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of property located at 117-127 Divisadero Street.

File 37-92-5.1

Supervisor Achtenberg Excused From Voting

Supervisor Achtenberg, seconded by Supervisor Maher, moved to excuse herself from voting because of possible conflict of interest.

Motion to excuse Supervisor Achtenberg from voting adopted by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Britt - 2.

Supervisor Hsieh, seconded by Supervisor Kennedy, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Excused: Supervisor Achtenberg - 1.

Absent: Supervisors Britt, Gonzalez, Migden - 3.

(Only one of the following two motions should be adopted.)

Adopted

[Zoning Appeal]
Motion approving decision of the City Planning Commission by its Motion 13410, approving Conditional Use Application No. 91.746DC, of property located at 117-127 Divisadero Street; and adopting findings pursuant to City Planning Code Section 101.1.

File 37-92-5.2

Supervisor Hsieh, seconded by Supervisor Kennedy, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Excused: Supervisor Achtenberg - 1.

Absent: Supervisors Britt, Gonzalez, Migden - 3.

Tabled

[Zoning Appeal]
Motion disapproving decision of the City Planning Commission by its Motion 13410, approving Conditional Use Application No. 91.746DC, of property located at 117-127 Divisadero Street.

File 37-92-5.3

Supervisor Hsieh, seconded by Supervisor Maher, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Excused: Supervisor Achtenberg - 1.

Absent: Supervisors Britt, Gonzalez, Migden - 3.

Adopted

[Findings]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 91.746DC of property located at 117-127 Divisadero Street, for action by the Board at its next meeting.

File 37-92-5.4

Supervisor Hsieh, seconded by Supervisor Kennedy, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Excused: Supervisor Achtenberg - 1.

Absent: Supervisors Britt, Gonzalez, Migden - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Rev. Amos Brown;
Rev. Gazel;
Leon Collins, Jr.;
Mr. Richardson;
Fran, NAACP;
Patricia Goodman;
George R. Williams;
Al Haget;
Jim Molinari;
Al Lopez;
Dehnert Queen;
Ted Williams;
Rev. Monsignor;
Margaret Verges.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Healthy City]
Resolution supporting the Healthy Cities concept, development and implementation of the San Francisco Healthy Cities Project and authorizing application by the Department of Public Health to the California Healthy Cities Project for designation of San Francisco as a California Healthy City. (Supervisor Achtenberg)

File 30-92-11, Resolution No. 1019-92

(November 23, 1992 - Introduced in Board for consideration on December 7, 1992.)

Adopted.

[Mid State Toll Road]
Resolution opposing the Mid State Toll Road. (Supervisors Shelley, Kennedy)

File 171-92-8, Resolution No. 1017-92

(November 23, 1992 - Introduced in Board for consideration on December 7, 1992.)

Adopted.

[911 Emergency Response]
Resolution urging the Mayor to take all steps necessary to bring the San Francisco Police Department Communications Center to the level of staffing authorized in the fiscal year 1992-93 budget and to work with the Police Department to increase efficiency at the communications center. (Supervisors Shelley, Gonzalez, Migden)

File 207-92-11.1, Resolution No. 1018-92

(November 23, 1992 - Introduced in Board for consideration on December 7, 1992.)

Adopted.

[Retirement System]
Resolution urging the Mayor to urge the Retirement Board to adjust its rates of contributions for fiscal year 1992 and fiscal year 1993 using plan experience data through fiscal year 1992 which is now available. (Supervisors Conroy, Alioto, Shelley, Migden)

File 210-92-3, Resolution No. 996-92

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Britt, Hallinan, Kennedy - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-48, Resolution No. 1009-92

(Kevin Shelley, President, Board of Supervisors, November 28 - December 5; Carole Migden, member, Board of Supervisors, December 25 - 30; Raymond Baxter, Director of Health December 2 - 4 and 8 - 11; Nancy Bechtle, member, Art Commission. December 4 - 8; Marie K. Brooks, member, Airports Commission, December 22 - January 7, 1993; Mary Gomez Daddio, member, Human Rights Commission, November 21 - 28; John F. Deakin, Director, Bureau of Energy Conservation, November 28 - December 2; Frank Fung, Vice President, City Planning Commission, November 19 - December 9; Allen C. Haile, member, Social Services Commission, December 3 - 6; Anne Halsted, member, Port Commission, December 3 - 5; Edward Helfeld, Executive Director, Redevelopment Agency, November 23 - 27; James K. Ho, member, Airports Commission, November 29 - December 14; Michael P. Huerta, Executive Director, Port, December 4 - 17; John Kriken, member, Art Commission, November 25 - December 5 and December 10 - 14; M. Toby Levine, member, City Planning Commission, November 23 - December 2; Grant S. Mickins, member, Civil Service Commission, November 24 - 28 and December 5

- 9; Jane Morrison, member, Social Services Commission, November 24 - December 2; Harry S. Parker, III, Director, Fine Arts Museums, December 5 - 7; Louise H. Renne, City Attorney, December 1; Anthony D. Ribera, Chief of Police, November 27 - 29; Ellis Smith, member, City Planning Commission, November 30 - December 4 and 17 - 20; Patricia Sullivan, member, Commission on the Status of Women, December 18 - January 9, 1993; Patricia R. Underwood, member, Health Commission, December 7 - 20; Doris M. Ward, Assessor, November 21 - 24 and November 28 - December 2, 1992.

Adopted.

[Election Declaration]
Resolution declaring the results of judicial elections at the Consolidated General Election conducted November 3, 1992, in the City and County of San Francisco. (Clerk of the Board)

File 60-92-12.1, Resolution No. 1002-92

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Commend]
Resolution commending Tina Burgess Coan for her countless hours of community service for residents in the Mission District and people throughout San Francisco.

File 6-92-28, Resolution No. 998-92

Supervisor Conroy presented for immediate adoption.

Adopted.

[Commend]
Resolution commending Jerry Rice for his record-setting day on the gridiron.

File 6-92-29, Resolution No. 999-92

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Ross Alley, between Washington and Jackson Streets, and Spofford Street, between

Clay and Washington Streets, Thursday, December 10, 1992, 9:00 a.m. until 10:00 p.m.; and Ross Alley, between Washington and Jackson Streets, Thursday, December 17, 1992, 7:00 a.m. until 7:00 p.m. for filming.

File 42-92-62, Resolution No. 1000-92

Supervisor Shelley presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Eddy Street, between Leavenworth and Jones Streets, Thursday, December 17, 1992, 10:45 a.m. until 12:00 p.m., for a ribbon cutting ceremony.

File 42-92-63, Resolution No. 1001-92

Supervisor Shelley presented for immediate adoption.

Adopted.

[Street Artist]
Resolution designating seven temporary spaces at Harvey Milk Plaza for street artists certified by the Art Commission; exempting four of said spaces from the regulation prohibiting selling within twelve feet from the outer edge of an entrance; designation effective through February 28, 1993.

File 169-92-5, Resolution No. 1003-92

Supervisor Hallinan presented for immediate adoption.

Adopted.

[Joint Task Force on City's Fiscal Crisis]
Resolution amending Resolution No. 936-92 establishing the Joint Task Force to resolve the City's fiscal crisis, by defining a quorum and permitting designees to attend in place of appointed members.

File 174-92-5.2, Resolution No. 1004-92

Supervisor Migden presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Hallinan - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Colorado Products Ban]
Ordinance amending Administrative Code by adding Sections 10.240 through 10.247 to prohibit departments of the City and County from purchasing any commodities that have been produced or manufactured in the State of Colorado; authorizing the Purchaser to establish rules and regulations to carry out purposes of ordinance; providing for penalties to ensure compliance with the ordinance; requiring the Purchaser to provide implementation reports annually to the Board of Supervisors. (Supervisor Britt presented.) Referred to Finance Committee.

File 97-92-68

[Line of Credit Loan Guarantee Program]
Draft ordinance establishing a line of credit loan guarantee program. (Supervisor Kennedy presented.) Referred to Finance Committee.

File 97-92-69

[Government Funding]
Ordinance appropriating $37,889, Department of Public Health, for permanent salaries, related mandatory fringe benefits, other contractual services, auto mileage, travel, training, other current services, telephone, materials and supplies, data/word processing equipment purchase/lease and reproduction. (Supervisor Alioto presented.) Referred to Finance Committee.

File 101-92-15

[Travel Allowances to Colorado Not Permitted]
Ordinance amending Ordinance No. 249-92, the Annual Appropriation Ordinance for Fiscal Year 1992-93, by adding thereto Section 31, which prohibits the allowance of travel expenses incurred in traveling to conventions and meetings in Colorado. (Supervisor Britt presented.) Referred to Finance Committee.

File 101-92-16

[Government Funding]
Ordinance appropriating $471,335, District Attorney, for permanent salaries, related mandatory fringe benefits (for weekend rebooking services). (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 101-92-17

[Government Funding]
Draft ordinance appropriating $106,826, Municipal Court, for permanent salaries, related mandatory fringe benefits and professional services (jail overcrowding). (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 101-92-18

[Government Funding]
Draft ordinance appropriating $4,515,011, Sheriff, for permanent salaries, related mandatory fringe benefits, subsistence, materials and supplies, and services of other departments (jail overcrowding). (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 101-92-19

[Public Employment]
Ordinance amending Ordinance No. 250-92 (Annual Salary Ordinance) reflecting the addition of two new positions in the Department of Public Health. (Supervisor Alioto presented.) Referred to Finance Committee.

File 102-92-7

[Building Code]
Ordinance amending Building Code by amending Sections 4306(i) and 5406(c) to require fire-resistive glazing to conform with safety glazing requirements in human impact locations. (Supervisor Hsieh presented.) Referred to Economic and Social Policy Committee.

File 114-92-10

[Stadium Operator Admission Tax]
Draft ordinance amending Part III, San Francisco Municipal Code, by amending Section 807 providing an exemption from the payment of the stadium operator admission tax, by extending for one year, through December 31, 1993, the exemption from the payment of admission taxes on tickets sold at $17.99 or less. (Supervisor Alioto presented.) Referred to Finance Committee.

File 127-92-2.1

[Airport Employment]
Draft resolution approving and adopting an employment program for the expansion of the San Francisco International Airport. (Supervisor Alioto presented.) Referred to City Services Committee.

File 27-92-12

Requests for Hearings:

File 7-92-10, By Supervisor Conroy: To consider Municipal Railway's management of maintenance yards. Referred to City Services Committee.

File 101-92-20, By Supervisor Achtenberg: To consider the transfer of a portion of the Family Violence Project's funding to the Sheriff Department. Referred to Finance Committee with request it be considered at the December 16, 1992 meeting.

File 244-92-3, By Supervisor Shelley: To consider the status of the transfer of the Presidio from the United States Army to the Golden Gate National Recreation Area. Referred to Select Committee on Hunters Point Naval Shipyard/Presidio Army Base Closures.

File 273-92-1, By Supervisors Hsieh and Hallinan: To consider the extent and the amount of the City's use of personal services contracts. Referred to Finance Committee.

Motions:

File 69-92-1 [Supplemental Appropriation Request] Motion directing the Clerk of the Board to submit to his Honor, the Mayor, a request that the Mayor submit a supplemental appropriation of $30,802 to the Board of Supervisors for services of the Budget Analyst, using funds which have accumulated in the Cable Television Access and Development Fund. (Presented by Supervisor Hallinan.) Referred to Finance Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 97-92-67. [Board of Supervisors - Fees] Amending Administrative Code by adding Section 8.37 thereto, authorizing the Clerk of the Board of Supervisors to collect fees to defray the cost of mailing and providing copies of documents relating to the business of the Board of Supervisors. (Clerk of the Board) Finance

File 101-92-10.2. [Government Funding] Appropriating $3,200,241, Public Library-1988 Library Improvement Bond Program, for capital improvement project (Public Library Main and branches). (Controller) Finance

Resolutions Referred to Committee

File 146-91-4.3. [AB 75 Capital Outlay Plan] Authorizing amendment to the AB 75 Capital Outlay Plan for the City and County of San Francisco, as adopted by Resolution No. 125-91, to delete four San Francisco DPH/Community Public Health Center Services Projects, to revise nine San Francisco DPH/Community Public Services Project budgets, and to authorize expenditure of $102,357 of interest earned on non-hospital AB 75 Capital Outlay funds for capital improvement projects for San Francisco DPH/Community Public Health Services. (Department of Public Health) Finance

File 150-91-3.1. [Grant - State Funds] Authorizing Recreation and Park Department to accept and expend grant funds in the amount of $150,000 which includes $10,050 for indirect costs, from the Habitat Conservation Fund Program of the California Wildlife Protection Act of 1990 for India Basin Wetlands Restoration Phase I Project; companion measure to File 150-91-3. (Recreation and Park Department) Finance

File 19-92-17. [Carpool Permit Parking] Establishing a Carpool Permit Parking Program on Vermont Street in the vicinity of San Francisco General Hospital. (Department of Parking and Traffic) Economic and Social Policy

File 25-92-34. [Contract] Concurring with the Controller's certification that Vocational Training and Counseling Services for the Independent Living Skills Project can be practically performed at the Department of Social Services by private contractor for lower cost than similar work services performed by City and County employees. (Department of Social Services) Finance

File 64-92-24.1. [Lease of Real Property] Authorizing an amendment to an existing lease of real property at 10 United Nations Plaza, Suite 260, for the Mayor's Office of Children, Youth and Their Families. (Real Estate Department) Finance

File 140-92-1. [Grant - State Funds] Approving the grant funding from the State of California Department of Industrial Relations in the amount of $50,725 for a heat stress prevention program in the San Francisco Fire Department. (Fire Commission) Finance

File 148-92-10. [Grant - State Funds] Authorizing the Director of Public Works to apply for, accept and expend grant fundings in the amount of $350,000 from the State of California, Resources Agency for providing additional environmental enhancement improvements and allowable indirect costs in The Embarcadero Surface Roadway Project. (Department of Public Works) Finance

File 172-92-17. [Contract] Approving the contract between the City and County of San Francisco, Department of Public Health and HHL Financial Services, Inc., to provide uncompensated care recovery services. (Department of Public Health) Finance

File 172-92-18. [Agreement] Authorizing the Fire Department to execute hold harmless agreements to be entered into between the City and County of San Francisco and Jet Skis Manufacturers. (Fire Department) Finance

Referred to Board

File 172-92-19. [In-Home Supportive Services Extension of Contract Renewal] Finding that the General Manager of the Department of Social Services of the City and County of San Francisco has complied with the requirements of the Administrative Code and the Charter of the City and County of San Francisco and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract, by extending the current renewed contract for a period not to exceed three months. (Department of Social Services) Scheduled for Public Hearing before Board on December 14, 1992 at 3:00 p.m.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letters be sent to the Budget Analyst and Controller requesting a report on the possible social and economic impact the proposed Giants lease will have on programs within the City and County to be submitted to the Supervisors prior to the Board meeting of December 14, 1992.

By Supervisor Kennedy, that City Attorney review, prepare and approve as to form the draft ordinance establishing a line of credit loan guarantee program.

By Supervisor Kennedy, that letter be sent to his Honor, the Mayor, transmitting a copy of the draft ordinance establishing a line of credit loan guarantee program for his review and comment.

By Supervisor Kennedy, that letter of inquiry be sent to Director, Department of Parking and Traffic, to determine the feasibility of placing Stop signs at the intersections of Holloway and Granada Avenues and Holloway and Faxon Avenues.

By Supervisor Kennedy, that letters of inquiry be sent to the Honorable Human Rights Commission, Fire Commission and City Attorney concerning alleged noncompliance to rules and procedures relating to Fire Station No. 8 renovation specification #5222A bid by the two lowest bidders.

By Supervisor Kennedy, that City Attorney review City of Davis Ordinance No. 1668 prohibiting picketing focused on private residences, establishing criminal penalties for violation and declaring the same to be an urgent ordinance to go into effect immediately and advise whether it is feasible for the City and County of San Francisco to adopt such an ordinance.

By Supervisor Kennedy, that City Attorney prepare resolution in support of the U.S. Troops in their efforts to assist the people of Somalia, for adoption without reference to committee at the next Board meeting.

By Supervisors Kennedy, Gonzalez, Shelley, that City Attorney prepare resolution to encourage Major League Baseball to seek the divestment of Marge Schott's interest in the Cincinnati Red Baseball Organization because of her insensitivity toward non-caucasians, for adoption without reference to committee at the next Board meeting.

By Supervisors Shelley, Conroy, Hsieh, that City Attorney prepare ordinance amending Traffic Code regarding parking regulations for cars with "for sale" signs.

By Supervisor Shelley, that letter of inquiry be sent to Chief of Police to determine what steps are being taken to address the problem of heavy drug trafficking in the Holloway Avenue corridor, especially areas identified by neighbors as drug houses.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Randall S. Rossi (Supervisor Shelley)
Theodore Dwight Woolsey (Supervisor Britt)

File 2-92-48

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:47 p.m. adjourned.

Monday, December 7, 1992

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on MAY 24 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 87 No. 49

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Monday, December 14, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 14, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:39 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Quorum present.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Kennedy, moved that the Journals of Proceedings for Tuesday, February 18, and Monday, February 24 and Monday, March 2, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $304,667, Superior Court, for professional and other contractual services, services of other departments - Real Estate, Public Health, City Planning, courthouse construction; placing $214,267 on reserve. (Supervisor Migden)

File 101-92-12, Ordinance No. 372-92

Finally passed.

[Government Funding]
Ordinance appropriating $12,020,375, Water Department, for various capital improvement projects, rescinding $4,700,000. (Supervisor Gonzalez)

File 101-92-13, Ordinance No. 373-92

Finally passed.

[Government Funding]
Ordinance appropriating $10,716,761, Hetch Hetchy Water and Power, for various capital improvement projects. (Supervisor Gonzalez)

File 101-92-14, Ordinance No. 374-92

Finally passed.

[Lease of Property]
Ordinance authorizing lease of Water Department land, approximately .71 acres of pipeline right-of-way in Santa Clara County to the Roman Catholic Bishop of San Jose. (Public Utilities Commission)

File 65-92-14, Ordinance No. 352-92

Finally passed.

[Medical Waste Generator Registration, Permitting, Inspection, Fees]
Ordinance amending Health Code, to provide for a program for enforcement of the California Medical Waste Management Act and for registration, permitting, inspections and administrative fees for medical waste generators, treatment, and storage facilities. (Supervisor Alioto)

File 118-92-8, Ordinance No. 375-92

(Adds Article 25.)

Finally passed.

Recommendation of City Services Committee

Finally Passed

[Underground District]
Ordinance creating Underground District No. 318 in the Dolores Heights District. (Department of Public Works)

File 52-92-6, Ordinance No. 367-92

Finally passed.

Recommendation of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Gaudiya Vaishnava Society, et al. against San Francisco. (City Attorney)

File 45-92-69, Ordinance No.

(U.S. District Court No. C88-1904 (FMS).)

Passed for second reading.

Recommendations of Economic and Social Policy Committee

Adopted

[Stop Intersections]
Resolution designating certain intersections as "Stop" intersections at various locations. (Economic and Social Policy Committee)

File 18-92-14, Resolution No. 1039-92

(Stop signs - establish
23rd and Wisconsin Streets, northeast corner, stopping 23rd Street traffic (makes this T-intersection an all-way Stop).

Lyon and Francisco Streets, northeast, southeast and southwest corners stopping westbound Francisco Street traffic, northbound Lyon Street traffic and eastbound Gorgas Avenue traffic (makes this a three-way Stop).

Industrial Street and Palou Avenue, northeast and southwest corners, stopping Industrial Street traffic (makes this an all-way Stop).

47th and Sutro Heights Avenues, northwest and southeast corners, stopping 47th Avenue traffic (makes this an all-way Stop).

Barneveld and Jerrold Avenues, southeast corner, stopping Barneveld Avenue traffic (presently uncontrolled).)

Adopted.

[Parking Regulations]
Resolution enacting parking regulations on various streets. (Economic and Social Policy Committee)

File 19-92-11.1, Resolution No. 1040-92

(Tow-Away No Parking Anytime - Establish
Dead-end portion of cul-de-sac on Kearny Street, south of Chestnut Street, replacing existing red curb.)

Adopted.

[Parking regulations]
Resolution enacting parking regulations on various streets. (Economic and Social Policy Committee)

File 19-92-15, Resolution No. 1041-92

(Tow-Away, No Parking Anytime - Establish
Trinity Street, both sides, between Bush and Sutter Streets (replaces existing "No Parking Anytime" regulation).

Perpendicular (90-Degree Angle) Parking - Establish
De Haro Street, east side, from 15th Street to approximately 170 feet north of 15th Street.

De Haro Street, east side, between 15th and 16th Streets.

De Haro Street, west side, from Alameda Street to approximately 280 feet north of Alameda Street.

De Haro Street, west side from 15th Street to approximately 185 feet north of 15th Street.

De Haro Street, west side, between 15th and 16th Streets.

Rhode Island Street, east side, between Southern Heights Avenue and 24th Street.)

Adopted.

[Traffic regulations]
Resolution rescinding and enacting traffic regulations on various streets. (Department of Parking and Traffic)

File 20-92-16, Resolution No. 1042-92

No Left Turn - Establish
Lombard Street, westbound, at Van Ness Avenue.

Right Lane Must Turn Right - Establish
Innes Avenue, eastbound, at Donahue Street.

Left Lane Must Turn Left - Establish
Cargo Way, westbound, at 3rd Street.

Multiple Right Turn Lanes - Establish
Cargo Way, westbound, at 3rd Street.

Tow-Away, No Stopping Anytime - Rescind
Bosworth Street, north side, from 40 feet east of Lyell Street to 120 feet west of Lyell Street (160-foot zone).

Tow-Away, No Stopping Anytime - Establish
Saturn Street, north side from Roosevelt Street to 20 feet easterly (20-foot zone).

Saturn Street, north side, from west property line of #148 Saturn Street to 30 feet easterly (30-foot zone).

Saturn Street, south side, from 20 feet east of east property line of #147 Saturn Street to 35 feet easterly (35-foot zone).

Tow-Away No Stopping Anytime - Rescind
Main Street, west side, 52 feet northerly from Mission Street.

Street Closed to Vehicular Traffic, 11 a.m. to 3 p.m. and 6 p.m. to 10 p.m., Monday through Saturday - Establish
Belden Place, between Pine and Bush Streets.

Adopted.

[Parking of Vehicles]
Resolution extending the boundaries of Residential Permit Parking Area "N" in the North Inner Richmond area; and adding Funston Avenue, between Balboa Street and Fulton Street, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-92-11, Resolution No. 1046-92

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted

[Findings]
Motion adopting findings approving the decision of the City Planning Commission approving Conditional Use Application No. 91.746DC, of property located at 117-127 Divisadero Street.

File 37-92-5.5

Supervisor Achtenberg was excused from voting by previous action of the Board. (See Journal of Proceedings of December 7, 1992.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Excused: Supervisor Achtenberg - 1.

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $2,400,000,000, San Francisco International Airport, for Capital Improvement Project, for fiscal year 1992-93; placing $1,554,200,000 on reserve; companion measure to File 170-92-13. (Controller)

File 101-92-11, Ordinance No. 371-92

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Gonzalez - 1.

Finally Passed

[Project Lease]
Ordinance approving and authorizing the execution and delivery of an agreement of purchase and sale for real estate (including certain indemnities and the release of the seller contained therein), an assignment of agreement of purchase and sale for real estate, a facilities lease (including certain indemnities contained therein), a trust agreement (including certain indemnities contained therein), and an official statement; authorizing the distribution of an official notice inviting bids in connection with the City and County of San Francisco certificates of participation (1660 Mission Street Project) Series 1993; authorizing the Chief Administrative Officer to fix rents to be charged and to submit budgets for approval;

authorizing and ratifying execution of documents reasonably necessary for the execution, delivery and sale of the certificates of participation; and adopting findings pursuant to City Planning Code Section 101.1, all in connection with the acquisition and leasing of the 1660 Mission Street property requiring an annual report to the Board of Supervisors documenting improvements in efficiency and other relevant information which reflects changes resulting from the proposed purchase of the 1660 Mission Street property; companion measure to File 97-92-61. (Chief Administrative Officer)

File 172-92-15, Ordinance No. 353-92

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Gonzalez - 1.

[Fee Surcharges]
Ordinance amending Administrative Code by adding Chapter 10F, to establish a surcharge on plan, permit, environmental review, and related fees to recover costs for acquiring office space at 1660 Mission Street; companion measure to File 172-92-15. (Chief Administrative Officer)

File 97-92-61, Ordinance No. 369-92

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Gonzalez - 1.

NEW BUSINESS

Recommendations of Finance Committee

Adopted

[Findings - Final Environmental Impact Report]
Resolution incorporating by reference findings made by the Library Commission and the Art Commission and adopting further findings pursuant to the California Environmental Quality Act relating to the appropriation of funds for the new Main Library Project, as analyzed in the San Francisco Main Library Final Environmental Impact Report, (FEIR) Case No. 90.808E; companion measure to Files 38-92-27, 101-92-10.1, and 101-92-10.2. (Department of Public Works)

File 101-92-10, Resolution No. 1008-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Gonzalez - 1.

Passed for Second Reading

[Government Funding]
Ordinance appropriating $86,213,304, Public Library, for capital improvement project (main library and branches), 1988 Library Improvement Bond Program; placing $6,172,083 on reserve. (Supervisor Gonzalez)

File 101-92-10.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Gonzalez - 1.

[Government Funding]
Ordinance appropriating $3,200,241, Public Library-1988 Library Improvement Bond Program, for capital improvement project (main public library and branches). (Controller).

File 101-92-10.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Gonzalez - 1.

Adopted

[Acceptance of Gift]
Resolution accepting a gift to the Public Library in the amount of $9,614,568 from the Library Foundation of San Francisco to fund building enhancements for new main library. (Public Library)

File 38-92-27, Resolution No. 1045-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Grant - Federal Funds]
Resolution authorizing the Public Library to accept and expend, retroactively, $34,530 in funds available from the United States Department of Education for a Project Read Outreach Program including indirect costs of $1,644. (Public Library)

File 147-92-5, Resolution No. 1068-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Grant - Federal Funds]
Resolution authorizing the Public Library to accept and expend, retroactively, $29,033 in funds available from the United States Department of Education for a Project Read Outreach Program including indirect costs of $1,383. (Public Library)

File 147-92-6, Resolution No. 1069-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Request Granted

Supervisor Hsieh requested that letters be sent to the Honorable Library Commission, Library Foundation and Library Staff thanking them for all their work on securing major grants for enhancement programs for the new main library.

No objection and Clerk directed to comply.

[Grant - State Funds]
Resolution authorizing the Fire Department to accept and expend $50,725 from the State of California Department of Industrial Relations for a heat stress prevention program; including $2,540 for indirect costs; ratifying action previously taken. (Fire Commission)

File 140-92-1, Resolution No. 1061-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Community

Public Health, Bureau of Health Promotion and Education, to expend $118,738 of grant funds which excludes indirect costs from the State Department of Health Services to fund the contractor, Kopell & Associates and Maureen O'Rorke, Public Relations and Advertising, to implement a smoke-free environment outreach and media campaign for San Francisco residents. (Department of Public Health)

File 146-91-1.2, Resolution No. 1062-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to accept and expend retroactively a grant of $502,010, which includes indirect costs in the amount of $7,205, based on twenty percent of personnel costs, from the Centers for Disease Control for family planning and HIV research and development services for women; providing for ratification of action already taken. (Department of Public Health)

File 146-92-73, Resolution No. 1064-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Public Health Programs, Family Health Bureau, to accept and expend a grant of $566,947, which includes indirect costs in the amount of $7,068, based on twenty percent of personnel costs, from Centers for Disease Control, for family planning and HIV clinical and educational services for women; providing for ratification of action previously taken. (Department of Public Health)

File 146-92-74, Resolution No. 1065-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to apply for retroactively, accept and expend a grant of $358,922, which includes indirect administrative costs in the amount of $1,700, based on one

percent of personnel costs, from California Family Planning Council, Inc., for family planning services; providing for ratification of action previously taken. (Department of Public Health)

File 146-92-75, Resolution No. 1066-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Grant - State Funds]
Resolution authorizing the Director of Public Works to expend up to $1,044,335 from the State of California for roadway work on city streets in accordance with the State-Local Transportation Partnership Program (3rd Cycle) foregoing reimbursement of indirect costs; placing $847,832 on reserve. (Department of Public Works) Finance

File 148-92-9, Resolution No. 1070-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Grant - State Funds]
Resolution authorizing the Director of Public Works to apply for, accept and expend grant funds in the amount of $350,000 from the State of California, Resources Agency for providing additional environmental enhancement improvements and allowable indirect costs in The Embarcadero Surface Roadway Project. (Department of Public Works)

File 148-92-10, Resolution No. 1071-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Agreement]
Resolution authorizing the Fire Department to execute hold harmless agreements to be entered into between the City and County and Your Scooter Shop. (Fire Department)

File 172-92-18, Resolution No. 1075-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Consideration Continued

[Removal of Funds from Bank of America]
Resolution urging the transfer of two City remittance banking accounts from the Bank of America, urging the transfer of City revolving banking accounts from the Bank of America, urging that Bank of America not be used for the City's proposed direct payroll deposit program and urging all officers and employees of the City and County, when given the opportunity to utilize the services of a financial institution for the City, to consider the use of financial institutions other than the Bank of America. (Supervisor Achtenberg)

File 260-92-1, Resolution No.

Supervisor Achtenberg, seconded by Supervisor Migden, moved to continue consideration to December 21, 1992.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

From Finance Committee Without Recommendation

Passed for Second Reading as Amended

(Supervisor Hallinan dissenting in Committee.)

[Giants Candlestick Park Lease Amendment]
Ordinance approving a lease amendment entered into by the Recreation and Park Commission and the San Francisco Giants, which reduces the City's revenue from the agreement by approximately ((~~$725,000~~)) $925,000 per year (amount will vary with attendance) through the year 1997 and assigns the right to further revenues in the amount of approximately $440,000 per year from the agreement to furnish scoreboard to the Giants during the term of the lease. The City further assumes the obligations for utilities and maintenance of the playing field at a cost of approximately $250,000 per season; and adding provision requiring the San Francisco Giants to provide complimentary tickets and specifying effective date. (Supervisors Alioto, Hsieh)

File 65-92-15, Ordinance No.

Supervisor Alioto, seconded by Supervisor Kennedy, moved to amend Stadium Lease by adding new paragraph that reads as follows:

"If attendance at Giants games at Candlestick Park totals 12.5 million or more over the five years of the lease term, the Giants shall, at the end of the fifth year, pay to the City rent equal to twenty-five percent of the ticket revenue, calculated on the average ticket price of the cumulative ticket sales, on all tickets in excess of 12.5 million sold during the five year period, to the extent that the Giants have a cumulative positive

net cash flow during such period, up to the amount of concessions provided to the Giants by the City under the Fourth Amendment to Stadium Lease and the related contractual amendments approved by the City concurrently with that Fourth Amendment. Cumulative net cash flow means the gross cash revenues received by the Giants during the five year period less that cash expenditures (operating expenses, interest and principal payments on loans, and other capital payments or expenditures) during said five year period. The Giants and the City shall use their best efforts to develop the methodology for calculating the extent of the concessions granted by the City. If the Stadium Lease terminates prior to December 31, 1997, the 12.5 million attendance benchmark will be pro rated over the number of baseball seasons that the Giants exhibited baseball games at the Stadium. The Giants' cumulative net cash flow shall be determined by certification by an independent auditor appointed by the Giants and reasonably acceptable to the City."

Motion to amend lease adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Supervisor Alioto, seconded by Supervisor Kennedy, moved to amend Stadium Lease by adding new paragraph that reads as follows:

"Domestic Partner Health Benefits. The Giants agree that commencing on or before April 1, 1993 and continuing through the term of this Stadium Lease, Domestic Partners of Giants employees shall be entitled to receive health benefits on the same terms and conditions as provided to other spouses of Giants employees, provided that if, after using good faith efforts, the Giants are unable to obtain agreement by one or more providers of health services to Giants' employees to so extend health coverage to Domestic Partners, the Giants shall not be deemed in breach of this covenant of this Stadium Lease as long as the Giants provide Domestic Partners of their employees the option for membership in one or more health plans on the same terms and conditions as provided to other spouses of Giants employees. The Giants shall use good faith efforts to have entities that provide the Giants goods or services under contract to the Giants agree in those contracts that the contractor will provide Domestic Partners of its employees health benefits on the same terms and conditions as provided to other spouses of its employees. As used in this paragraph__, two persons shall be deemed "Domestic Partners" if the following conditions are met: (1) both persons share the same principal place of residence; (2) both persons share the same basic living expenses, are financially interdependent and are jointly responsible for each other's common welfare; (3) the persons are not related to each other in a way that would bar marriage in California; (4) the persons considered each other as live partners; and (5) neither person has had a different Domestic Partner in the six months preceding the date in which they first apply for eligibility for health benefits under a plan made available in satisfaction of the requirements of this paragraph __."

Motion to amend lease adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Supervisor Alioto, seconded by Supervisor Kennedy, moved to amend Stadium Lease by adding new paragraph that reads as follows:

"Local Hiring Opportunities. The Giants shall use good faith efforts to hire San Francisco residents as employees in all positions other than baseball player and team management positions as well as use good faith efforts to have entities that provide the Giants goods or services under contract to the Giants to agree in those contracts to use similar good faith efforts to hire San Francisco residents in the performance of those contracts."

Motion to amend lease adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to amend Stadium Lease by adding new paragraph that reads as follows:

"Community Participation. The Giants recognize the importance of fostering good relations with the community and improving employment opportunities for San Franciscans, especially those who live in disadvantaged communities. Accordingly, the Giants agree to the following:

a. The Giants agree to use good faith efforts to provide employment information and opportunities to economically disadvantaged youths residing in the City and County of San Francisco, and particularly in the Bayview - Hunters Point, Western Addition, Mission and other economically disadvantaged communities. To that end Giants agree that they will meet with executives of Harry M. Stevens in an attempt to work out a plan whereby the Giants and Harry M. Stevens will work together to provide the employment opportunities referred to in this paragraph.

b. The Giants agree to participate in and contribute financially to an employer partnership with the proposed Pilot Year Round Disadvantaged High Risk Youth Employment Program to develop meaningful employment opportunities both in and around the Giants and the Stadium and throughout the City.

c. The Giants recognize the importance of identifying and developing young, academic and executive talent among the economically disadvantaged youth of our community. Giants agree to create, possibly through the Giants' already existing Giants Fund, a minority student internship program. The goal of this program would be to develop a pool of economically disadvantaged youth interested in and committed to learning the ways in which a professional baseball franchise and business operates.

d. The Giants agree to set-aside not more than 250 seats on at least four occasions per year dedicated for fund-raising purposes to non-profit community programs in the City and County of San Francisco. The games selected and the seats set-aside shall be chosen by the San Francisco Giants Community Advisory Committee in conjunction with the Giants. The Giants will administer this program in conjunction with the San Francisco Giants Community Advisory Committee and will exercise reasonable efforts to promote and advertise this program.

e. The Giants agree to form a Community Advisory Committee consisting of thirteen members, representing each of the nine Bay Area counties, and including four additional members selected from a list of nominees forwarded to the Giants by the San Francisco Board of Supervisors. Said Committee will include, but not be limited to, residents representing the diverse neighborhoods and ethnic groups in the City and County of San Francisco. It shall be the function of this Committee to advise the Giants of their implementation of their obligations under this agreement and to further advise the Giants on steps they may take to enhance the quality of life of all citizens of the City and County of San Francisco with particular emphasis upon disadvantaged minority youth.

f. The Giants shall, at the end of each calendar year, issue a report to the Board of Supervisors specifying how they have complied with each of the lease obligations detailed in sections one through five above.

Motion to amend lease adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to amend Fourth Amendment to Stadium Lease as follows:

Paragraph 9 of the lease, including all subparagraphs, is deleted in its entirety and replaced with the following new Paragraph 9:

"9. Rent: (a) The Tenant shall pay as rental to the Landlord for each year hereunder the sum of one dollar ($1.00). Rent shall be paid in advance on February 1 of each year.
(b) It is agreed that each calendar year the Giants shall make available to charitable organizations, religious organizations, youth programs, senior citizen programs, educational institutions, and, subject to mutual agreement by the Giants and the Mayor of the City, other organizations and individuals, complimentary tickets whose face value in the aggregate equals or exceeds $3,100,000 (Three Million One Hundred Thousand Dollars). The Mayor shall recommend to the Giants organizations and entities that shall be eligible to receive these tickets.

The Giants shall select those organizations and entities that shall receive the tickets from among the lists presented by the Mayor and from other organizations and entities that apply for the tickets. The Giants shall give to the Mayor of the City a monthly report that details the distribution of the tickets through the end of the preceding month. The tickets shall be reserved seats located in upper reserved stands. The Giants, in consultation with the Mayor, shall develop a distribution plan for these tickets. The plan shall include provisions for publicizing the availability of the tickets and how to apply for them. The Giants will prepare an application form for the tickets that will be available no later than April 1 of each year. The Giants shall notify recipients reasonably in advance of a game of the tickets that will be available to that recipient. The Giants may require recipients of unused tickets either to return the tickets to the Giants or to destroy them. The tickets will be printed with a face value amount, but if marked by the Giants as complimentary tickets for use in satisfaction of the Giants' obligations under this paragraph, the tickets will be deemed to be of no value for the purposes of calculating the Giants' obligations, if any, to pay rent or taxes to the City.

c. It is also agreed that each calendar year the Giants will give the Commission 7,000 complimentary tickets to be used by children, youth and seniors who are involved in Department programs. Such complimentary tickets provided to the Commission will be in the upper reserved sections. The games and locations of these 7,000 tickets will be mutually agreed between the General Manager and Giants. In addition, it is further agreed that a reasonable number of complimentary tickets, not to exceed twenty-four tickets per game, will be provided to the City on request."

Motion to amend lease adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Supervisor Gonzalez, seconded by Supervisor Migden, moved to amend paragraph 14 of the Lease by deleting it entirely and replaced it with the following:

"14. Utilities Services: The Tenant shall pay for all utilities furnished to the Stadium for use by the Tenant, except that Tenant shall not be required to pay to or for the account of Landlord the cost of the following utility services: natural gas, electricity, sewer and water. The replacement of all playing field light bulbs shall be made by the Landlord without charge to the Tenant. The Landlord at its expense shall replace all or such part of the playing field light standards as may be or become necessary for the proper lighting of the playing field and the Stadium, but if new and different light standards, other than such replacement standards, should be desired by the Tenant, the same may be installed by the Tenant at its expense

upon receipt of the prior written consent of the Commission. The Tenant shall be responsible to pay to the City the City's actual cost of providing that number of uniformed City police officers as are requested by the Giants and approved by the City for patrolling in the Stadium, up to and including the Stadium admission gates, to maintain law and order during and immediately prior and subsequent to each exhibition of a baseball game by Tenant. Those uniformed police officers shall be admitted by Tenant without charge. Landlord shall provide police services at its expense to maintain law and order and to provide for traffic control within the demised premises outside of the Stadium and in the area around and about the demised premises."

Motion to amend lease adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to add a new paragraph to the Stadium Lease as follows:

"Non-Discrimination, The Giants shall not, in the operation and use of the Premises, discriminate against any person or group of persons solely because of race, color, creed, national origin, ancestry, age, sex, sexual orientation, disability or acquired immune deficiency syndrome (AIDS) or AIDS related condition (ARC). The provisions of Chapters 12B and 12C of the San Francisco Administrative Code, relating to nondiscrimination by tenants of the City and County of San Francisco, are incorporated herein by reference and made a part hereof as though fully set forth herein. The Giants agree to comply with all of the provisions of those Chapters 12B and 12C that apply to tenants of the City and County of San Francisco."

Motion to amend lease adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to amend the stadium lease by adding the following new paragraph:

"Minority and Women Business Contracting. The Giants shall use good faith efforts to award contracts for the provision of goods or services to the Giants to business enterprises owned by minorities or women, particularly those enterprises certified as "disadvantaged" by the San Francisco Human Rights Commission. The Giants shall consult with the Director of the Human Rights Commission to develop a plan for implementing the requirements of this Paragraph __ and shall provide the Director of the Human Rights Commission annual reports on the Giants efforts to award contracts to such business enterprises."

Motion to amend lease adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Supervisor Alioto, seconded by Supervisor Kennedy, moved an amendment of the whole entitled, "Ordinance approving a lease amendment entered into by the Recreation and Park Commission and the San Francisco Giants, which reduces the City's revenue from the agreement by approximately $925,000 per year (amount will vary with attendance) through the year 1997 and assigns the right to further revenues in the amount of approximately $440,000 per year from the agreement to furnish scoreboard to the Giants during the term of the lease. The City further assumes the obligations for utilities and maintenance of the playing field at a cost of approximately $250,000 per season; and adding provision requiring the San Francisco Giants to provide complimentary tickets and specifying effective date."

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Noes: Supervisor Hallinan - 1.

Adopted

(Supervisor Hallinan dissenting in Committee.)

[Sony Scoreboard]
Resolution approving an agreement between the Recreation and Park Commission and the San Francisco Giants granting all rights to revenues from video advertising on the Sony scoreboard at Candlestick Park during baseball season to the San Francisco Giants (potential revenues unknown). (Supervisor Alioto)

File 65-92-16, Resolution No. 1032-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Noes: Supervisor Hallinan - 1.

(Supervisor Hallinan dissenting in Committee.)

[Scoreboard]
Resolution approving an amendment to the agreement to furnish scoreboard between the Recreation and Park Commission and the Sony Corporation, which enables the City to expand its use of non-video advertising at Candlestick, retroactive to April 1, 1991. (Supervisor Alioto)

File 65-92-17, Resolution No. 1029-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Noes: Supervisor Hallinan - 1.

(Supervisor Hallinan dissenting in Committee.)

[Scoreboard Operating Agreement]
Resolution approving an amendment to the Scoreboard Operating Agreement between the Recreation and Park Commission and the San Francisco Giants, whereby the City will assign its rights to an operating fee from Sony to the San Francisco Giants. In return, the Giants will assume the obligation and associated costs of operating the scoreboard year-round. (Supervisor Alioto)

File 65-92-18, Resolution No. 1030-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Noes: Supervisor Hallinan - 1.

(Supervisor Hallinan dissenting in Committee.)

[Parking Lot Agreement]
Resolution approving an amendment to the Candlestick Park parking lot operating agreement between the Recreation and Park Commission and the San Francisco Giants, which designates the Giants as exclusive operators of the parking lot during baseball season and which reduces the City's revenues by approximately $1,150,000 per year. (Supervisor Alioto)

File 65-92-19, Resolution No. 1031-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Noes: Supervisor Hallinan - 1.

Request Granted

There being no objection, Supervisor Hallinan requested the City Attorney provide an opinion on whether the various legislation relating to the ballpark are subject to referendum.

Recommendation of Finance and City Services Committees

Passed for Second Reading

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

[Lead]
Ordinance amending Health Code, to establish a comprehensive lead hazard reduction program. (Supervisors Shelley, Kennedy, Hallinan, Hsieh, Maher, Alioto, Gonzalez, Achtenberg)

File 118-92-9, Ordinance No.

(Adds Article 26, Sections 1601 through 1631.)

(Fiscal Impact)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

The President reassumed the Chair.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Membership]
Ordinance amending Administrative Code, to provide for City Planning Commission membership in the Association for Commuter Transportation. (Department of City Planning)

File 97-92-64, Ordinance No.

(Amends Section 16.6-13.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

Adopted

[Appointment]
Resolution appointing member to the Handicapped Access Appeals Board, for the four-year term ending November 1, 1996. (Administration and Oversight Committee)

File 92-92-38, Resolution No. 1050-92

(Paul Imperiale, physically handicapped, vice Thomas Berliner, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Appointment]
Resolution appointing member to the Maternal, Child and Adolescent Health Board, for three-year term ending August 31, 1995. (Administration and Oversight Committee)

File 92-92-45.2, Resolution No. 1051-92

(Martin Gersham, vice himself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Appointment]
Resolution appointing member to the Elder Abuse Task Force. (Administration and Oversight Committee)

File 92-92-46.2, Resolution No. 1052-92

(Ricardo Hernandez, for term ending July 1, 1993.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Appointment]
Resolution appointing member to the Mental Health Advisory Board, for the unexpired portion of the three-year term ending January 31, 1994. (Administration and Oversight Committee)

File 92-92-47, Resolution No. 1053-92

(Darwin D. Dias, consumer, vice John O'Brien, resigned.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Appointment]
Resolution appointing member to the Delinquency Prevention Commission, for four-year term ending December 31, 1996. (Administration and Oversight Committee)

File 92-92-48, Resolution No. 1054-92

(Karen Jo Koonan, vice herself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Appointment]
Resolution appointing member to the Task Force on Youth Employment, for term ending February 8, 1993. (Administration and Oversight Committee)

File 92-92-50, Resolution No. 1055-92

(Wilbert Battle, Redevelopment Agency.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

[Appointment]
Resolution appointing member to the Metropolitan Transportation Commission for the unexpired portion of the four-year term ending February 10, 1995. (Administration and Oversight Committee)

File 92-92-54, Resolution No. 1056-92

(Supervisor Tom Hsieh, vice Supervisor Harry G. Britt, leaving office.)

Supervisor Hsieh Excused From Voting

On advice of the City Attorney, Supervisor Hsieh requested to be excused from voting.

There being no objection, on motion by Supervisor Maher, seconded by Supervisor Achtenberg, Supervisor Hsieh was excused from voting.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Britt - 1.

[Appointment]
Resolution appointing member to the Bay Area Air Quality Management District, for four-year term ending December 31, 1996. (Administration and Oversight Committee)

File 92-92-55, Resolution No. 1057-92

(Supervisor Carole Migden, vice Supervisor Harry G. Britt, term expired.)

Supervisor Migden Excused From Voting

On advice of the City Attorney, Supervisor Migden requested to be excused from voting.

There being no objection, on motion by Supervisor Hsieh, seconded by Supervisor Maher, Supervisor Migden was excused from voting.

Resolution adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 10.

Excused: Supervisor Migden - 1.

[Appointment]
Resolution appointing member to the Bicycle Advisory Committee, for the unexpired portion of the three-year term ending December 31, 1995. (Administration and Oversight Committee)

File 92-92-61, Resolution No. 1059-92

(Carolyn Helmke, environmental organization, vice David Marshall, resigned.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Appointment]
Resolution appointing member to the Delinquency Prevention Commission, for four-year term ending December 31, 1996. (Administration and Oversight Committee)

File 92-92-65, Resolution No. 1058-92

(Migdalia Mickey Rosado, vice Merrill Randol, resigned.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Appointments]
Resolution appointing members to the Delinquency Prevention Commission, terms expired, for four-year terms ending December 31, 1996. (Administration and Oversight Committee)

File 92-92-66.1, Resolution No. 1060-92

(Patricia Lee, vice herself;
Brian Henning, vice himself.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Recommendations of Economic and Social Policy Committee

Passed for Second Reading

[Landmark]
Ordinance designating the Golden Gate Commandery of the Knight Templar (Macedonia Missionary Baptist Church) at 2135 Sutter Street as a landmark pursuant to Article 10 of the City Planning Code. (Department of City Planning)

File 90-92-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Transfer of Sick Leave and Vacation Benefits]
Ordinance amending Administrative Code, relating to the transfer of sick leave and vacation benefits to catastrophically ill employees, by eliminating the limitation on the maximum number of hours that can be transferred to an employee for any single catastrophic illness and by imposing a sunset clause on the elimination of that maximum after 18 months. (Supervisor Kennedy)

File 97-92-62, Ordinance No.

(Amends Section 16.9-29.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Residential Users Appeals Board]
Ordinance amending Public Works Code, relating to rate paid to members of Residential Users Appeals Board. (Department of Public Works)

File 123-92-4, Ordinance No.

(Amends Section 149.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Vehicle Weight Limit]
Ordinance amending Traffic Code, relating to prohibiting operation of vehicles in excess of 6000 pounds upon portions of Mariposa and Vermont Streets. (Department of Parking and Traffic)

File 124-92-10, Ordinance No.

(Adds Sections 28.1.91 and 28.1.92.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Parking Regulations]
Ordinance amending Traffic Code, adding a portion of Elm Street, south side, between Van Ness Avenue and Polk Street, to the list of streets on which parking restrictions shall apply. (Department of Parking and Traffic)

File 124-92-11, Ordinance No.

(Adds Section 32.6.16.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

Adopted

[Service Authority for Freeways and Expressways]
Resolution authorizing the Metropolitan Transportation Commission to act as a Service Authority for Freeways and Expressways (SAFE) in the City and County of San Francisco. (Supervisor Britt)

File 85-92-1, Resolution No. 1049-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

[Federal System of Highway Mileage Markers]
Resolution urging the Mayor to urge the California Transportation Commission to adopt the Federal System of Highway Mileage Markers and Exit Numbers. (Supervisor Kennedy)

File 171-92-5, Resolution No. 1073-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 11.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of all persons interested in or objecting to the findings that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code and the Charter and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract, by extending the current renewed contract for a period not to exceed three months.

File 172-92-19

The privilege of the floor was granted to the following person:

Dehnert Queen.

From Department of Social Services

Adopted

[In-Home Supportive Services Extension of Contract Renewal]
Resolution finding that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code and the Charter and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract, by extending the current renewed contract for a period not to exceed three months.

File 172-92-19, Resolution No. 1076-92

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Britt - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;
Rev. Amos Brown;
Mr. Doe;
Charles Mola;
Rod;
Virginia Conway.

There being no one else present wishing to speak, the President declared the Public Comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Condominium Project]
Motion approving final map of 1930 Mission Street, a condominium project, being a resubdivision of Lot 4 in Assessor's Block 3554, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-92-28

(November 23, 1992 - Introduced in Board for consideration on December 14, 1992.)

Adopted.

[Condominium Project]
Motion approving final map of 3100 Mission Street, a condominium project, being a resubdivision of Lot 30 in Assessor's Block 6574, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-92-29

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Maher, Migden - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-49, Resolution No. 1009-92

(Mayor Frank M. Jordan, December 9 - 10; Jim Gonzalez, member, Board of Supervisors, December 10; Marie K. Brooks, member, Airports Commission, December 22 - January 7, 1993; Patricia Carson, member, Public Utilities Commission, November 28 - December 7; Gordon Chin, member, Public Utilities Commission, December 2 - 3 and 9 - 10; Keith Eickman, member, Recreation and Park Commission, December 5 - 12; James K. Ho, member, Airports Commission, November 29 - December 14; Susan Lowenberg, member, City Planning Commission, December 12 - 23; Louise Renne, City Attorney, December 1 and December 9 - 10; Arlene M. Sauser, Chief Probation Officer, December 7 - 9; Roselyne C. Swig, member, Library Commission, December 3 - 6 and 15 - 16 and December 19 - January 4, 1993; Patricia R. Underwood, member, Health Commission, December 7 - 20; Sidney Unobskey, President, City Planning Commission, November 22 - December 2, 1992.)

Adopted.

[Contract]
Resolution authorizing the Department of Social Services to execute a hold harmless agreement with the State Department of Social Services for the State pass through of a wage supplement to selected individual providers of In-Home Supportive Services for the period December 1, 1992 through February 28, 1993, for the purpose of assuring cultural, ethnic and language oriented services through community based organizations. (Supervisor Kennedy)

File 172-92-19.1, Resolution No. 1014-92

Adopted.

[Appointment]
Resolution appointing Supervisor Carole Migden to the Bay Area Air Quality Management District for unexpired portion of term ending December 31, 1992. (Supervisor Britt)

File 92-92-55.1, Resolution No. 1013-92

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Street Closing]
Resolution authorizing temporary closing of a portion of Spofford Street, between Clay and Washington Streets; and Ross Alley, between Washington and Jackson Streets on Wednesday, December 16, 1992 from 7:00 a.m. to 6:00 p.m.; and Quincy Street, between California and Pine Streets, on Monday, December 21, 1992 from 7:00 a.m. to 10:00 p.m. for filming.

File 42-92-64, Resolution No. 1010-92

Supervisor Shelley presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Washington and Clay Streets, between Montgomery and Sansome Streets; Montgomery Street, between Clay and Washington Streets; and Hotaling Place, between Washington and Jackson Streets, on December 30, 1992 from 8:00 p.m. until 11:55 p.m.; and December 31, 1992 from 5:00 p.m. to 3:00 a.m. for Lighting of the Transamerica Building for Live New Year's Eve Broadcast.

File 42-92-65, Resolution No. 1011-92

Supervisor Hsieh presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Townsend Street, between Seventh and Eighth Streets, Thursday, December 31, 1992, 12:00 noon until Friday, January 1, 1993, 12:00 noon, for a street fair.

File 42-92-66, Resolution No. 1012-92

Supervisor Migden presented for immediate adoption.

Adopted.

[Marge Schott, Baseball Ownership Divestment]
Resolution urging Major League Baseball and representatives in the National and American Leagues to seek the divestment of Marge Schott's ownership of the Cincinnati Reds Baseball Team because of her insensitive racial and ethnic remarks.

File 274-92-1, Resolution No. 1015-92

Supervisor Kennedy presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Maher, Migden - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Government Funding]
Ordinance appropriating $83,277, Sheriff's Department, for professional services (Family Violence Prevention Fund). (Supervisor Achtenberg presented.) Referred to Finance Committee.

File 101-92-20

[Government Funding]
Ordinance appropriating $1,400,000, San Francisco General Hospital, for capital improvement project (Wards 14 and 15 renovation). (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the December 30, 1992 meeting.

File 101-92-23

[Government Funding]
Ordinance appropriating $379,000, San Francisco General Hospital, for capital improvement project (AIDS ward renovation). (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the December 30, 1992 meeting.

File 101-92-24

Referred to Board

[Commend]
Resolution commending the Child Study Center at San Francisco State University. (Supervisor Shelley presented.) Referred to Board December 21, 1992 For Adoption Without Committee Reference Calendar.

File 6-92-30

[Hazardous Waste Management Plan]
Resolution urging the California Department of Toxic Substances Control (DTSC) to review and act on the San Francisco County Hazardous Waste Management Plan. (Supervisor Shelley presented.) Referred to Board December 21, 1992 For Adoption Without Committee Reference Calendar.

File 12-92-42

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau to apply for retroactively, and accept and expend a grant augmentation of $20,000 which does not include indirect costs, from the California Family Planning Council, Inc. for the provision of one-time-only funds for the purchase of medical equipment; providing for ratification of action previously taken. (Supervisor Shelley presented.) Referred to Board December 21, 1992 For Adoption Without Committee Reference Calendar.

File 146-92-76.1

[Public Library Five Year Plan]
Resolution endorsing the Five Year Strategic Plan of the San Francisco Public Library System and commending the Public Library Commission for this undertaking. (Supervisor Alioto presented.) Referred to Board December 21, 1992 For Adoption Without Committee Reference Calendar.

File 220-92-3

Requests for Hearings:

File 114-92-11, By Supervisor Kennedy: To consider amending the Building Code to make it mandatory that building inspectors actually go inside the buildings after a major disaster to determine whether or not it is occupied. Referred to Economic and Social Policy Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-92-70. [Settlement of Litigation] Authorizing settlement of attorney fee litigation for services performed in 1991 in Stone, et al., v. City and County of San Francisco, et al. (City Attorney) Administration and Oversight

File 62-92-3. [Coit Tower Facility Lease] Approving a five-year lease with Frederick Lo for management and operation of the Coit Tower Facility in San Francisco, California. (Recreation and Park Department) Finance

File 62-92-4. [Airport - Concession Lease] Approving "Boarding Area "E" Principal Concession Retail Lease" between the Delstar Group and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Finance

File 65-92-20. [Termination of Lease Agreement] Approving termination of lease agreement between Continental Grain Company and the City and County of San Francisco, operating by and through the San Francisco Port Commission for use of the space at Pier 90 Grain Terminal. (Port) Finance

File 97-92-70. [Public Health Contracts] Amending Administrative Code by adding Section 19A.32 to permit the Department of Public Health to enter into indemnification agreements with the Metropolitan Transportation Commission enabling the Department of Public Health to participate in the Homeless Outreach study at Transbay Transit Terminal. (Department of Public Health) Finance

File 101-92-21. [Government Funding] Appropriating $524,636, Department of Social Services, for permanent salaries and related mandatory fringe benefits and day care assistance. (Controller) Finance

File 101-92-22. [Government Funding] Appropriating $206,729, Public Administrator, for various purposes, for the creation of four positions; companion measure to File 102-92-4. (Controller) Finance

File 102-92-8. [Public Employment] Amending Annual Salary Ordinance, 1992-93, Municipal Court, reflecting the addition of one position (Classification 0215 L Bail Commissioner); companion measure to File 101-92-18. (Civil Service Commission) Finance

File 102-92-9. [Public Employment] Amending Annual Salary Ordinance, 1992-93, Sheriff's Office, reflecting the addition of twenty-four positions (Classifications 8304 L, Deputy Sheriff (20), 8306 L, Senior Deputy Sheriff (2) and 8274 L, Police Cadet (2); companion measure to File 101-92-19. (Civil Service Commission) Finance

File 102-92-10. [Public Employment] Amending Annual Salary Ordinance, 1992-93, Rent Arbitration Board, reflecting the addition of one position (Classification AA44 N Senior Hearing Officer). (Civil Service Commission) Finance

Resolutions Referred to Committee

File 28-92-13. [Airport Administration] Approving a declaration of emergency, emergency repairs, power distribution system, plot 7 and vicinity, Airport Contract No. 3201, San Francisco International Airport - $220,000. (Airports Commission) Finance

File 48-92-25. [Settlement of Claim] Approving the settlement of the unlitigated claim of Farmers Insurance Group by payment of $10,438.61. (City Attorney) Administration and Oversight

File 146-92-76. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to apply for retroactively, and accept and expend a grant augmentation of $20,000, which does not include indirect costs from the California Family Planning Council, Inc., for the provision of one-time-only funds for the purchase of medical equipment; providing for ratification of action previously taken. (Department of Public Health) Finance

File 147-92-7. [Grant - State Funds] Authorizing the San Francisco Public Library to apply for, accept and expend funds not to exceed $65,528 available through the California State Library from Title I of the Library Services and Construction Act for Major Urban Resource Libraries for Fiscal Year 1992/93. (Public Library) Finance

File 147-92-8. [Grant - Private Corporate Funds] Authorizing the City Librarian to apply for equipment valued at $405,416.85 available from the Corporate Contributions Committee of Digital Equipment Corporation for creating the AIDS Library/Information Network; waiving indirect costs. (Public Library) Finance

File 172-92-20. [Indemnification Agreement] Authorizing an indemnity provision in the agreement between the City and County of San Francisco and the County of San Mateo. (Public Utilities Commission) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Hsieh and Conroy, that letter of inquiry be sent to the Honorable Public Utilities Commission to determine the feasibility of replacing the glass in the bus shelters with non-breakable material.

By Supervisor Alioto, that letter of inquiry be sent to Director, Department of Parking and Traffic, to obtain any background information or feasibility studies regarding the installation of traffic signals at the intersection of 23rd Avenue and Geary Boulevard.

By Supervisors Hsieh and Shelley, that letter be sent to Director of Public Works to inquire if there are any plans to have the bushes along the handicapped access ramp to City Hall trimmed and to check the lighting in the area to make sure all lights are in working order on a routine basis as safety and security measures.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

James J. Stark (Entire Board)
Mark Forrester (Supervisor Shelley)
Mable Jackson (Supervisor Kennedy)
William Filante (Supervisors Conroy, Maher, Migden, Hsieh, Gonzalez)

File 2-92-49

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:14 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on JUN 1 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Vol. 87 No. 50

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Monday, December 21, 1992

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 21, 1992 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Britt, Conroy, Hallinan, Hsieh, Migden, Shelley - 6.

Noted absent at first roll call:

Supervisors Achtenberg, Alioto, Gonzalez, Kennedy, Maher - 5.

Quorum present.

Supervisor Achtenberg was noted present at 3:16 p.m.

Supervisor Alioto was noted present at 2:16 p.m.

Supervisor Gonzalez was noted present at 2:28 p.m.

Supervisor Kennedy was noted present at 2:21 p.m.

Supervisor Maher was noted present at 2:19 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Britt, moved that the Journal of Proceedings for Monday, March 9, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Britt, Conroy, Hallinan, Hsieh, Migden, Shelley - 6.

Absent: Supervisors Achtenberg, Alioto, Gonzalez, Kennedy, Maher - 5.

Presentation of Guests

Supervisor Hallinan introduced and welcomed Dr. Juan Carlos de la Concepcion Raxach and Dr. Raul Llanos Torres from Cuba.

Privilege of the Floor

There being no objection, on motion by Supervisor Hallinan, seconded by Supervisor Hsieh, Rule 2.21 of the Rules of Order of the Board of Supervisors was suspended to grant privilege of the floor to Dr. Raul Llanos Torres.

Speaking through an interpreter, Dr. Torres thanked the members of the Board of Supervisors for intervening on their behalf so they could enter the United States to attend and speak at a series of AIDS conferences in San Francisco and to meet with other AIDS groups throughout the country.

Supervisor Hsieh introduced and welcomed Mayor's delegation from the City of Chang Chun, China, who are visiting for the purpose of negotiating joint venture investments for their City and to review San Francisco's waste water treatment plant.

Presentation Made

Privilege of the Floor

There being no objection, on motion by Supervisor Shelley, seconded by Supervisor Kennedy, Rule 2.21 of the Rules of Order of the Board of Supervisors was suspended to grant privilege of the floor to Ken Fujioka, Tenants Coalition for Seismic Safety; Kathleen Harrison, Coalition for Seismic Safety and Calvin Welch, Council of Community Housing Organization.

On behalf of the above organizations, Mr. Fuyioka presented Supervisor Hsieh with a commemorative brick in appreciation for his support of Proposition A, $350,000,000 earthquake safety loan bonds, and sponsorship of the Seismic Safety Program for San Francisco.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Kennedy requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Economic and Social Policy Committee

Passed for Second Reading as Amended

[Transfer of Sick Leave and Vacation Benefits]
Ordinance amending Administrative Code, relating to the transfer of sick leave and vacation benefits to catastrophically ill employees, by eliminating the limitation on the maximum number of hours that can be transferred to an employee for any single catastrophic illness and by imposing a sunset clause on the elimination of that maximum after 18 months. (Supervisor Kennedy)

File 97-92-62, Ordinance No.

(Amends Section 16.9-29.)

Supervisor Kennedy, seconded by Supervisor Hsieh, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $86,213,304, Public Library, for capital improvement project (main library and branches), 1988 Library Improvement Bond Program; placing $6,172,083 on reserve. (Supervisor Gonzalez)

File 101-92-10.1, Ordinance No. 363-92

Finally passed.

[Government Funding]
Ordinance appropriating $3,200,241, Public Library-1988 Library

Improvement Bond Program, for capital improvement project (Public Library Main and branches). (Controller)

File 101-92-10.2, Ordinance No. 364-92

Finally passed.

Adopted

[AB 75 Capital Outlay Plan]
Resolution authorizing amendment to the AB 75 Capital Outlay Plan for the City and County, as adopted by Resolution No. 125-91, to delete four San Francisco DPH/Community Public Health Center Services Projects, to revise nine San Francisco DPH/Community Public Services Project budgets, and to authorize expenditure of $102,357 of interest earned on non-hospital AB 75 Capital Outlay funds for capital improvement projects for San Francisco DPH/Community Public Health Services. (Department of Public Health)

File 146-91-4.3, Resolution No. 1063-92

Adopted.

[Contract]
Resolution concurring with the Controller's certification that Vocational Training and Counseling Services for the Independent Living Skills Project can be practically performed at the Department of Social Services by private contractor for lower cost than similar work services performed by City and County employees. (Department of Social Services)

File 25-92-34, Resolution No. 1043-92

Adopted.

[Lease of Real Property]
Resolution authorizing an amendment to an existing lease of real property at 10 United Nations Plaza, Suite 260, for the Mayor's Office of Children, Youth and Their Families. (Real Estate Department)

File 64-92-24.1, Resolution No. 1048-92

Adopted.

[Contract]
Resolution approving the contract between the Department of Public Health and HHL Financial Services, Inc., to provide uncompensated care recovery services. (Department of Public Health)

File 172-92-17, Resolution No. 1074-92

Adopted.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Gaudiya Vaishnava Society, et al. against San Francisco. (City Attorney)

File 45-92-69, Ordinance No. 366-92

(U.S. District Court No. C88-1904 (FMS).)

Finally passed.

[Membership]
Ordinance amending Administrative Code, to provide for City Planning Commission membership in the Association for Commuter Transportation. (Department of City Planning)

File 97-92-64, Ordinance No. 370-92

(Amends Section 16.6-13.)

Finally passed.

Recommendations of Economic and Social Policy Committee

Finally Passed

[Landmark]
Ordinance designating the Golden Gate Commandery of the Knight Templar (Macedonia Missionary Baptist Church) at 2135 Sutter Street as a landmark pursuant to Article 10 of the City Planning Code. (Department of City Planning)

File 90-92-1, Ordinance No. 368-92

Finally passed.

[Residential Users Appeals Board]
Ordinance amending Public Works Code, relating to rate paid to members of Residential Users Appeals Board. (Department of Public Works)

File 123-92-4, Ordinance No. 377-92

(Amends Section 149.1.)

Finally passed.

[Vehicle Weight Limit]
Ordinance amending Traffic Code, relating to prohibiting operation of vehicles in excess of 6000 pounds upon portions of Mariposa and Vermont Streets. (Department of Parking and Traffic)

File 124-92-10, Ordinance No. 378-92

(Adds Sections 28.1.91 and 28.1.92.)

Finally passed.

[Parking Regulations]
Ordinance amending Traffic Code, adding a portion of Elm Street, south side, between Van Ness Avenue and Polk Street, to the list of streets on which parking restrictions shall apply. (Department of Parking and Traffic)

File 124-92-11, Ordinance No. 379-92

(Adds Section 32.6.16.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Gonzalez - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Adopted

(See Journal of Proceedings of January 4, 1993 for disapproval by Mayor.)

[Removal of Funds from Bank of America]
Resolution urging the transfer of two City remittance banking

accounts from the Bank of America, urging the transfer of City revolving banking accounts from the Bank of America, urging that Bank of America not be used for the City's proposed direct payroll deposit program and urging all officers and employees of the City and County, when given the opportunity to utilize the services of a financial institution for the City, to consider the use of financial institutions other than the Bank of America. (Supervisor Achtenberg)

File 260-92-1, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley - 7.

Noes: Supervisors Conroy, Hsieh, Maher - 3.

Absent: Supervisor Kennedy - 1.

From Finance Committee Without Recommendation

Finally Passed

(See Journal of Proceedings of February 8, 1993 concerning referendum petition.)

(Supervisor Hallinan dissenting in Committee.)

[Giants Candlestick Park Lease Amendment]
Ordinance approving a lease amendment entered into by the Recreation and Park Commission and the San Francisco Giants, which reduces the City's revenue from the agreement by approximately $925,000 per year (amount will vary with attendance) through the year 1997 and assigns the right to further revenues in the amount of approximately $440,000 per year from the agreement to furnish scoreboard to the Giants during the term of the lease. The City further assumes the obligations for utilities and maintenance of the playing field at a cost of approximately $250,000 per season; and adding provision requiring the San Francisco Giants to provide complimentary tickets and specifying effective date. (Supervisors Alioto, Hsieh)

File 65-92-15, Ordinance No. 365-92

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Achtenberg - 1.

Recommendation of Finance and City Services Committees

Finally Passed

[Lead]
Ordinance amending Health Code, to establish a comprehensive lead hazard reduction program. (Supervisors Shelley, Kennedy, Hallinan, Hsieh, Maher, Alioto, Gonzalez, Achtenberg, Migden)

File 118-92-9, Ordinance No. 376-92

(Adds Article 26, Sections 1601 through 1631.)

(Fiscal Impact)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $37,634, Department of Public Health, for permanent salaries, related mandatory fringe benefits, other contractual services, auto mileage, travel, training, other current services, telephone, materials and supplies, data/word processing equipment purchase/lease and reproduction; placing $7,500 on reserve. (Supervisor Alioto)

File 101-92-15, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Public Employment]
Ordinance amending Ordinance No. 250-92 (Annual Salary Ordinance) reflecting the addition of two new positions in the Department of Public Health. (Supervisor Alioto)

File 102-92-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Travel Allowances to Colorado Not Permitted]
Ordinance amending Ordinance No. 249-92, the Annual Appropriation Ordinance for fiscal year 1992-93, by adding thereto Section 31, which prohibits the allowance of travel expenses incurred in traveling to conventions and meetings in Colorado. (Supervisors Britt, Gonzalez, Migden)

File 101-92-16, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

[Colorado Products Ban]
Ordinance amending Administrative Code, to prohibit departments of the City and County from knowingly purchasing any commodities that have been produced or manufactured in the State of Colorado; authorizing the Purchaser to establish rules and regulations to carry out purposes of ordinance; providing for penalties to ensure compliance with the ordinance; requiring the Purchaser to provide implementation reports annually to the Board of Supervisors. (Supervisors Britt, Gonzalez, Migden)

File 97-92-68, Ordinance No.

(Adds Sections 10.240 through 10.247.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

[Government Funding]
Ordinance appropriating $83,277, Sheriff Department, for professional services (Family Violence Prevention Fund). (Supervisor Achtenberg)

File 101-92-20, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Board of Supervisors - Fees]
Ordinance amending Administrative Code, authorizing the Clerk of the Board of Supervisors to collect fees to defray the cost of mailing and providing copies of documents relating to the business of the Board of Supervisors, and authorizing the Clerk of the Board to waive, in exigent circumstances, the fees authorized by this section. (Clerk of the Board)

File 97-92-67, Ordinance No.

(Adds Section 8.37.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

Adopted

[Emergency Repair]
Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace the damaged sidewalks, driveways, tree basins, side sewer vents and fencing in areas of heavy pedestrian traffic. (Department of Public Works)

File 28-92-12, Resolution No. 1044-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

[Reimbursement to Employees]
Resolution authorizing reimbursement for costs of personal property of City and County employees damaged or stolen in the line of duty. (Finance Committee)

File 51-92-3, Resolution No. 1047-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

[Grant - State Funds]
Resolution authorizing Recreation and Park Department to accept and expend grant funds in the amount of $150,000 which includes $10,050 for indirect costs, from the Habitat Conservation Fund Program of the California Wildlife Protection Act of 1990 for India Basin Wetlands Restoration Phase I Project; placing $115,000 on reserve. (Recreation and Park Department)

File 150-91-3.1, Resolution No. 1072-92

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Britt - 2.

Recommendation of Finance and
Administration and Oversight Committees

Consideration Continued

[Cable Television Access Development and Programming Fund]
Ordinance amending Administrative Code, which establishes and governs the maintenance of the Cable Television Access Development and Programming Fund, by providing for the balance of all funds remaining in the fund at the close of each fiscal year to be carried forward and accumulated in said fund. (Clerk of the Board)

File 97-92-63, Ordinance No.

(Fiscal Impact)

(Amends Section 10.117-68.)

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to January 4, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Recommendations of Finance and
Economic and Social Policy Committees

Passed for Second Reading

[Earthquake Safety Program]
Ordinance amending the Building Code, to provide that where a building permit application is filed on or after January 1, 1992 to repair a City-owned building under the Bond-Funded Public Safety Improvement Projects, the building's existing electrical, plumbing, mechanical, fire protection or life-safety systems are not required to comply with this code if the system complies with the code in effect at the time of its construction or installation, the system is safe to continue to operate, and the system is not relocated, altered for reuse, or expanded; adopting findings. (Department of Public Works)

File 114-92-7, Ordinance No.

(Fiscal Impact)

(Amends Section 104(b).)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Adopted

[Interactive Media Industry]
Resolution declaring it to be the policy of the Board of Supervisors to foster the growth of the Interactive Media Industry in the San Francisco Bay Area and to take various actions in furtherance of the growth of this industry in the San Francisco Bay Area. (Supervisors Gonzalez, Alioto, Shelley, Migden, Kennedy)

File 265-92-1, Resolution No. 1078-92

(Fiscal Impact)

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

The President reassumed the Chair.

Recommendation of City Services Committee

Passed for Second Reading

[Seismic Safety Retrofit Program]
Ordinance amending Administrative Code, to create certain regulations to assist in implementing the City's Seismic Safety Retrofit Bond Program and to establish a Program Board to recommend regulations for the administration of the program; and to create the Seismic Strengthening Loan Fund. (Supervisor Hsieh)

File 97-92-66, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Hallinan - 3.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of all persons interested in or objecting to the proposed vacation of subsurface and airspace areas of Fourth Street southeasterly of Howard Street, and adopting findings pursuant to City Planning Code Section 101.1.

File 164-92-3.1

(Pursuant to Board of Supervisors Resolution No. 959-92, approved November 16, 1992.)

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

From Economic and Social Policy Committee Without Recommendation

Passed for Second Reading

[Street Vacation]
Ordinance ordering vacation of subsurface and airspace areas of

Fourth Street southeasterly of Howard street, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 164-92-3.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of all persons interested in or objecting to the proposed vacation of a portion of Main Street between Bryant Street and the Embarcadero.

File 164-92-4.1

(Pursuant to Board of Supervisors Resolution No. 960-92, approved November 18, 1992.)

The privilege of the floor was granted to the following person:

Dehnert Queen.

There being no one else present wishing to speak, the President declared the public hearing closed.

From Economic and Social Policy Committee Without Recommendation

Passed for Second Reading

[Street Vacation]
Ordinance ordering vacation of a portion of Main Street between Bryant Street and the Embarcadero; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 164-92-4.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Achtenberg - 1.

COMMITTEE REPORTS

Recommendations of Finance Committee

Consideration Continued

[Government Funding]
Ordinance appropriating $438,295, District Attorney, for permanent salaries, related mandatory fringe benefits (for weekend rebooking services). (Supervisor Gonzalez)

File 101-92-17, Ordinance No.

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to continue consideration to January 4, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Maher - 3.

Passed for Second Reading

[Government Funding]
Ordinance appropriating $106,826, Municipal Court, for permanent salaries, related mandatory fringe benefits and professional services (jail overcrowding); placing $60,000 on reserve. (Supervisor Gonzalez)

File 101-92-18, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1992-93, Municipal Court, reflecting the addition of one position (Classification 0215 Bail Commissioner); companion measure to File 101-92-18. (Civil Service Commission)

File 102-92-8, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Government Funding]
Ordinance appropriating $3,954,879, Sheriff, for permanent salaries, related mandatory fringe benefits, subsistence, materials and supplies, and services of other departments (jail overcrowding); providing for ratification of action previously taken; and providing for 90 day reporting requirement. (Supervisor Gonzalez)

File 101-92-19, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1992-93, Sheriff's Office, reflecting the addition of twenty-four positions (Classifications 8304 L, Deputy Sheriff (20), 8306 L, Senior Deputy Sheriff (2) and 8274 L, Police Cadet (2); companion measure to File 101-92-19. (Civil Service Commission)

File 102-92-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Patricia Void;
M.G. Lansky.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commend]
Resolution commending the Child Study Center at San Francisco State University. (Supervisor Shelley)

File 6-92-30, Resolution No. 1037-92

(December 14, 1992 - Introduced in Board for consideration on December 21, 1992.)

Adopted.

[Hazardous Waste Management Plan]
Resolution urging the California Department of Toxic Substances Control (DTSC) to review and act on the San Francisco County Hazardous Waste Management Plan. (Supervisor Shelley)

File 12-92-42, Resolution No. 1038-92

(December 14, 1992 - Introduced in Board for consideration on December 21, 1992.)

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau to apply for retroactively, and accept and expend a grant augmentation of $20,000 which does not include indirect costs, from the California Family Planning Council, Inc. for the provision of one-time-only funds for the purchase of medical equipment; providing for ratification of action previously taken. (Supervisor Shelley)

File 146-92-76.1, Resolution No. 1067-92

(December 14, 1992 - Introduced in Board for consideration on December 21, 1992.)

Adopted.

[Public Library Five Year Plan]
Resolution endorsing the Five Year Strategic Plan of the San Francisco Public Library System and commending the Public Library Commission for this undertaking. (Supervisor Alioto)

File 220-92-3, Resolution No. 1077-92

(December 14, 1992 - Introduced in Board for consideration on December 21, 1992.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Kennedy - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-92-50, Resolution No. 1033-92

(Tom Hsieh, member, Board of Supervisors, January 4, 1993; Victor Makras, member, Public Utilities Commission, December 25 - January 2, 1993; Louise Renne, City Attorney, December 9 - 10; Ellis Smith, member, City Planning Commission, January 24, 1993 - February 15, 1993; Joanne Chow Winship, Director of Cultural Affairs, Art Commission, December 20 - 24, 1992.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Commend]
Resolution honoring Raymond J. Arata, Jr.

File 6-92-31, Resolution No. 1034-92

Supervisor Gonzalez presented for immediate adoption.

Adopted.

[Grant - Federal through State]
Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to accept and expend a grant in the amount of $992,487 which excludes indirect costs, from the U.S. Department of Health and Human Services, Office for Treatment Improvement through the State of California, Department of Alcohol and Drug Programs to provide substance abuse services to residents of San Francisco with HIV/AIDS and related diseases (Federal Title: Community Based Outreach and Intervention Demonstration Program, RFA No. OTI-92-02).

File 146-92-84, Resolution No. 1036-92

Supervisor Gonzalez presented for immediate adoption.

Adopted.

[Street closing]
Resolution authorizing temporary closing of a portion of Florida Street, between Seventeenth and Mariposa Streets, January 8, 1993, 4:00 p.m. until 8:00 p.m.; and January 9th, 10th, 12th through 16th, 6:30 p.m. to 9:30 p.m. each day, for a performance by Surrender Inc.

File 42-92-67, Resolution No. 1035-92

Supervisor Hallinan presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Kennedy - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Quitclaim Deed]
Ordinance authorizing and directing execution of quitclaim deed by City and County of San Francisco to San Francisco Community College District, of City College of San Francisco site located at Ocean Avenue and Phelan Avenue; adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Shelley presented.) Referred to Finance Committee.

File 203-92-2

Referred to Board

[Contract Out]
Resolution approving the Controller's certification that Family Violence Prevention services can be practically performed by private contractor at a lower cost for this program than if work was performed by City and County employees at presently budgeted levels; companion measure to File 101-92-20. (Supervisor Achtenberg presented.) Referred to Board January 4, 1993 For Adoption Without Committee Reference Calendar.

File 25-92-35

[Clean Alternative Fuel Vehicles]
Resolution declaring it to be the policy of the City and County to participate in and sponsor, and encourage others to participate in and sponsor, projects and programs intended to convert all fleet vehicles to clean alternative fuel usage; urging all departments, boards and commissions, officers and agencies of the City and County to participate actively in these projects and programs; requesting the Budget Analyst to conduct a management audit evaluating the City's current fuel consumption policies and programs. (Supervisor Kennedy presented.) Referred to Board January 4, 1993 For Adoption Without Committee Reference Calendar.

File 43-92-1

Referred to Committee

[Terminal Separator]
Resolution requesting Caltrans to undertake a study of alternative designs to the Terminal Separator structure replacement and the Transbay Terminal. (Supervisor Maher presented.) Referred to Economic and Social Policy Committee.

File 171-92-9

[Children's Services Plan, 1993-94]
Resolution approving the Children's Services Plan for the San Francisco Children's Fund in accordance with Charter Section 6.415. (Supervisor Achtenberg presented.) Referred to Finance Committee.

File 185-92-5

Referred to Board

[Children, Status of]
Resolution endorsing the recommendations made by the Children's Defense Fund Report "The Status of America's Children" and the UNICEF Report "State of the World's Children 1993". (Supervisor Shelley presented.) Referred to Board January 4, 1993 For Adoption Without Committee Reference Calendar.

File 275-92-1

Requests for Hearings

File 124-92-12, By Supervisor Kennedy: To consider issuing parking stickers marked "For Use on Rental Car Only" to residential permit parking area residents who have a valid California driver's license, do not own a car but rent one. Referred to Economic and Social Policy Committee.

File 124-92-13, By Supervisor Kennedy: To consider amending the law that permits the issuance of parking tickets to persons blocking their own driveways. Referred to Economic and Social Policy Committee.

File 276-92-1, By Supervisor Maher: To consider the status of San Francisco's plans to celebrate the 50th anniversary of the founding of the United Nations. Referred to Economic and Social Policy Committee.

Motions:

[Rule Change]
Motion amending the Rules of Order of the Board of Supervisors in order to restructure the standing committees of the Board, increasing the number of committees from four to six, and specifying duties, by repealing Rules 3.12 through 3.16, and by adding Rules 3.12 through 3.18. (Supervisor Alioto presented.) Referred to Board January 4, 1993 for notice of public hearing on January 11, 1993 at 3:00 p.m.

File 56-92-2

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-92-71. [Settlement of Litigation] Authorizing settlement of litigation of First Federal Savings & Loan Association against the City and County of San Francisco by payment of $45,881.37. (City Attorney) Administration and Oversight

File 45-92-72. [Settlement of Litigation] Authorizing settlement of

litigation of Elena Maggin v. City and County of San Francisco, et al by payment of $7,000. (City Attorney) Administration and Oversight

File 45-92-73. [Settlement of Litigation] Authorizing settlement of litigation of Carlos Cordon v. Casey, et al against the City and County of San Francisco by payment of $20,000. (City Attorney) Administration and Oversight

File 65-92-21. [Sublease of Property] Authorizing and approving sublease of real property located at 701 Frederick Street commonly known as the former Boys' Gym of Polytechnic High School to the Pickle Family Circus. (Real Estate Department) Finance

File 101-92-25. [Government Funding] Appropriating $60,265, Rent Board, for permanent salaries; and rescinding $60,265 in permanent salaries appropriations; companion measure to File 102-92-10. RO #92127 (Controller) Finance

File 101-92-26. [Government Funding] Appropriating $8,727, Superior Court, for permanent salaries, related mandatory fringe benefits; companion measure to File 102-92-11. RO #92125 (Controller) Finance

File 101-92-28. [Government Funding] Appropriating $10,128,907, Department of Public Health, General Fund, medical revenues (SB 855), transfer to other funds, San Francisco General Hospital, other current services (SB 855). RO #92124 (Controller) Finance

File 102-92-11. [Public Employment] Amending Annual Salary Ordinance, 1992-93, Superior Court, reflecting the reclassification of two positions; companion measure to File 101-92-26. (Civil Service Commission) Finance

Resolutions Referred to Committee

File 48-92-26. [Settlement of Claim] Approving the settlement of the unlitigated claim of Wharfside One, dba Sheraton at Fisherman's Wharf by payment of $116,310.47. (City Attorney) Administration and Oversight

File 61-92-7. [Contract Award Extension] Granting extension of time for awarding San Francisco Water Department Contract No. WD-2123,CDD Machine Shop Upgrade. (Public Utilities Commission) Finance

File 101-92-27. [Appropriations] Establishing the appropriations limit for fiscal year 1992-93 pursuant to California Constitution Article XIII B. (Controller) Finance

File 146-92-77. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Service, Epidemiology and Disease Control, Sexually Transmitted Disease Control, to apply for a grant of $650,000, which includes indirect costs in the amount of $65,000, based on twenty percent of salaries, from the Centers for

Disease Control, for the continued operation of the San Francisco Sexually Transmitted Disease Prevention and Training Center. (Department of Public Health) Finance

File 146-92-78. [Grant - State/University of California Funds] Authorizing the Department of Public Health, AIDS Office, to apply for a grant of $180,000, which includes indirect costs based on ten percent of the total award, from the University of California at Berkeley, Office of the President, to conduct the tobacco-related disease in HIV-Infected Homosexual Men Research Project. (Department of Public Health) Finance

File 146-92-79. [Grant - Federal Funds] Authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services, to apply for, accept and expend a grant of $175,032 which includes indirect costs in the amount of $6,732 based on four percent of the direct costs and a required match in the amount of $58,344, which is thirty-five percent of the direct costs, from the McKinney Path Homeless Fund Federal Formula Grant for the homeless mentally ill and the mentally ill at risk of becoming homeless; providing for ratification of action previously taken. (Department of Public Health) Finance

File 146-92-80. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of $18,750,000, from the Health Resources and Services Administration to continue funding the Ryan White Comprehensive AIDS Resources Emergency (CARE) Title I Supplemental Grant Project; waiving indirect costs. (Department of Public Health) Finance

File 146-92-81. [Grant - State Funds] Authorizing the Department of Public Health, Central Administration, MIA Program, apply for, accept and expend the fiscal year 1992-93 allocation of up to $2,000,000, which includes indirect costs of twenty percent of personnel costs, from the State Department of of Health Services for Legalized Indigent Medical Assistance (LIMA) funds under the Immigration Reform and Control Act (IRCA); providing for ratification of action previously taken. (Department of Public Health) Finance

File 146-92-82. [Grant - State Funds] Authorizing the Department of Public Health, Division of Mental Health, Substance Abuse and Forensic Services, to apply for, accept and expend a grant of $30,584 from the State Department of Mental Health for the primary prevention in the schools projects; providing for ratification of action previously taken and waiving indirect costs. (Department of Public Health) Finance

File 146-92-83. [Grant Subvention - State Funds] Authorizing the Department of Public Health, Community Substance Abuse Services, to accept and expend a grant subvention up to the amount of $49,988, which includes indirect costs from the State of California, Department of Alcohol and Drug Programs for the development and implementation of five-year master plan for substance abuse services in the City and County of San Francisco; waiving indirect costs. (Department of Public Health) Finance

File 172-92-22. [Contract Modification] Authorizing the Municipal Railway to modify an existing contract with Breda Costruzioni Ferroviarie S.p.A. (Public Utilities Commission) Finance

File 192-92-7. [Grant - State Funds] Authorizing the Director of the Department of Parking and Traffic to apply for, accept and expend up to $80,000 of State funds for participation in the 1993 California Department of Transportation's Fuel Efficient Traffic Signal Management (FETSIM) Program, for the Mission District Signal System. (Department of Parking and Traffic) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that City Attorney prepare legislation that would consider the Title XIX Personal Care Option funds to be enhancement monies to fund administration of an all-county registry model, higher wages and benefits for the providers and improve the quality of service delivery to the client.

By Supervisor Maher, that City Attorney prepare resolution establishing Board policy to publicly discuss all cases involving sexual and racial discrimination to which the City is a named defendant.

By Supervisor Maher, that City Attorney prepare ordinance stating that judgments and settlements resulting from sex or racial discrimination cases shall be applied against the department budget by mandating an increase in salary savings and calling for an annual report by the City Attorney of all outstanding racial and sex discrimination cases.

By Supervisor Kennedy, that City Attorney prepare resolution urging the Recreation and Park Commission to set aside an area at Candlestick Park for handicapped parking.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Edith Gipson (Supervisor Kennedy)
Dana Andrews (Supervisors Hallinan, Migden)

File 2-92-50

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:53 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on JUN 1 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors